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Marriage of Hindu Widows.

ADVOCATED BY THE

PATHARE REFORM ASSOCIATION OF BOMBAY;

WITH AN EPITOME OF THE HISTORY

OF

BHIM RAJA, THE FOUNDER

OF

THE RACE OF PATHARE PRABHUS.

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UBLISHED ACCORDING TO A RESOLUTION PASSED AT A MEETING OF THE
ASSOCIATION, HELD AT POONA, ON THE 18TH JULY 1863.

SECOND EDITION.

Bombay:

PRINTED AT THE "INDU-PRAKASH" PRESS.

1869.

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PREFACE TO THE SECOND EDITION.

THE first Edition of this interesting little Tract, having become extinct, the Editor has been induced, by the special request of several friends, to undertake the publication of a Second Edition. To this new Edition, are added several useful and valuable notes, and fresh Appendices, containing the Rules of the Association, dated the 31st January 1863; the proceedings of two Meetings, one held on the 11th November 1863, and the other on the 26th May 1869; and an account of a most important event, being no less than the marriage of a Brahmin widow, which was solemnized, openly and publicly, on the 15th June 1869, with a regularity and tact quite unprecedented in the matrimonial History of the Priesthood.

It will be most satisfactory to all friends of Reform, to know, that the Pathare Reform Association, which had been quite dormant for more than five years, was successfully resuscitated on the 26th May 1869; and that a Fund is in the course of being raised, for opening an English school, for the education of *all* classes of natives, both males and females.

What a wonderful change, has time worked, on the state of the feelings of the orthodox men and women of the Pathare community! Where a few years ago, no-

thing but the bitterest and foulest abuse, was expected, one might now find—thanks to Heaven—a spirit of conciliation and appreciation. More than a dozen Prabhus are ready and willing to espouse widowed females; the father of a widowed daughter, has offered to give away his child in marriage to a proper applicant; and parents or guardians of widowed girls, to whom applications have been made, reply.—“It is a very good plan indeed; we like it, and wish to adopt it; but for fear of our relations, we have not the courage to take the lead.” It is now simply necessary to make a beginning in the Pathare community, and that beginning will, *Deo volente*, not be long in being made, as an example for timid persons to follow.

Since the publication of the first Edition, the Editor has made a most important and startling discovery. It is nothing less than that, the Pandavas, and Kauravas, of the Maha-Bharat, were professors of the Buddhist Religion, and that Bhim Raja, the founder of the Pathare Race, was a follower of the same Creed. It may, therefore, be naturally asked, whence the spring of Buddhist fathers took the Brahminical religion of Salsette: the answer must be—from their dear beloved mothers!

Bombay, Hortus D'Modestic

20th September 1869.

MOROBIA CANNOBA,

Honorary Secretary to P. R. A

MARRIAGE OF HINDU WIDOWS.



“DO NOTHING THAT YOU WISH TO CONCEAL.”

Since the publication of the Circular, of the Pathare Reform Association, dated the 21st May last, copy of which forms Appendix A, the whole of the English and Native Press, with one solitary exception, has been unanimous, in its expression of praise, with respect to the objects of the Institution. The exception is a Marathi Paper, called “The Deep Darshak,” conducted by a Brahmin, who is, so deeply, imbued with the old dogmas, of bigotry and superstition, as to be, easily, induced to say anything, that might be wished, by those who retain him, either for offence or defence. We shall not, therefore, deign to notice, particularly, the objections of this opponent, of the projected Reform. As, however, some of the Brahmins, who pretend to be learned—together with some members of the Pathare community—have communicated to us, personally, as well as anonymously, and pseudonimously, their views, in opposition to those of the Association, we consider it necessary to place before the public, a fair and correct representation of both sides of the question, so that the great point at issue—whether the marriage of Hindu Widows is lawful or not—may be decided by an impartial public. We need scarcely mention, that the Reform, advocated by us, has found the greatest favour amongst a very large number of liberal, and unprejudiced men, belonging to the highest classes of Hindu society; and that it has enlisted the deepest sympathies of truly good men, of other creeds and persuasions.

2.—The principal objections, of the prohibitionists, are :—

- I. The Reform, if carried out, will enable women, who do not like their first husbands, to get rid of them, by poison and other foul means.
- II. The authority quoted in the Circular, of the Pathare Reform Association, is doubtful ; and if an authority at all, is merely intended to apply to the Sudras.
- III. The females, of the Dwija classes, look upon re-marriage with great horror and disgust.
- IV. A vow which every Dwija female is required to make, on the occasion of her nuptials, in the presence of the deities invoked, on the occasion will be violated.
- V. There is not a single instance of a marriage of a widow, belonging to the Dwija class, ever having taken place.

3.—We append (Accompaniment B) the first part—(the latter portion not relating to the Association or their proceedings) of a letter, purporting to be, signed by one Narain Soonderjee Kashinathjee, an individual, who has admitted the paper to be no production of his ; but who has become a puppet in the hands of a few members of our community, who have not the moral courage to address us, in their own proper names. Concluding, however, this paper ventilates their sentiments or, at all events, a great portion of the sentiments of our Pathare opponents; we shall notice such of the arguments, therein set forth, as require a refutation.

4.—Before we begin with our task, let us premise, that we have taken some pains to consult a number of natives and others, who are reputed to be, thoroughly, acquainted with Brahminism ; and we have looked into various books treating of the religious, moral, and social laws of Hindus, as well as into the History of India. We are, therefore, we consider, in a position to denounce, as absurd and chimerical, all, and every one of, the objections and arguments raised against the Reform, and we hope every impartial reader of this pamphlet will

admit, that the prohibitionists are labouring under a delusion, engendered by pride, jealousy and other humours common to human nature.

5.—The Hindu nation, according to Brahminism, is divided into four classes, Bráhmīn, Kshatriya, Vaishya and Shudra. The first three are Dwijas, or twice born—the ceremony of investiture with the Brahminical thread being held to be a second birth. Brahmins, from an arrogant notion of their Druidical position, maintain that there are no Kshatriyas or Vaishyas left in the Kaliyuga; and that men are either Brahmins or Shudras. Therefore, according to their construction, the term Dwija is applicable solely to themselves. We shall here enter into no controversy to determine the validity, or otherwise, of their assertions, but dismiss the subject by, simply observing, that if the Kshatriyas and Vaishyas of the *Krita*, *Treta*, and *Dwapar* became extinct before the commencement of the *Kaliyuga*, it is just as possible, that the real Brahmins, of those ages, shared the same fate.⁹ We shall, however, use the word “Dwija” in its primitive sense, “twice born,” as applicable to the first three classes, Brahmins, Kshatriyas and Vaishyas.

6.—According to the *Vedas* and *Bhagvat*, the whole of the animal creation sprang from *Purush* and *Prakriti*, known to other cosmogonies as Adam and Eve. *Prakriti* was one-half of the body of *Purush*. Now, if you Dwijas have any faith, in your own scriptures, you must be prepared to grant, that in the primitive state of human society, the relative position of every man and woman was that of brothers and sisters; and that mankind multiplied by a process of nature not, at all, different from that common to the irrational creation. It is, universally, allowed, that, as human society increased in number, and their intellect developed itself, men began to migrate into different parts of the globe as necessity urged, and fancy dictated; and that congregating into bodies, plans of polity were formed, to protect life and property. Next to this, by degrees suc-

ceeded rules for the security of social, and personal, rights, of which the institution of matrimony was one. No one can deny marriage to be a contract rendered imperative, to the civilized world, by Omniscience. By some it is considered a civil contract, and by others, a religious one. In whatever light it may be viewed, it is dissoluble by death, or by divorce, by the laws of civilized nations.

7.—The population of the globe may be estimated as follows :—

Asia.....	500,000,000
Europe	270,000,000
America.....	60,000,000
Africa.....	60,000,000
Oceanica.....	20,000,000

Total...910,000,000

Of this number, Hindustan, the seat of the Dwijas, takes about 180,000,000, of which number Hindus are estimated at 56,000,000. Assuming the proportion of Dwijas, to the total number of Hindus, to be one in every hundred, the number of men, not observing at present, the right of re-marriage of females, will be found to be about 560,000, being equal to $\frac{1}{1625}$ ths of the whole of mankind. Therefore, until our opponents undertake to shew, and such an attempt will be the height of insanity, that amongst the classes being un-Dwijas, who make up the remainder, amounting to not less than 909,440,000 souls, the crime of poisoning husbands, disliked by their wives, is of frequent occurrence, the first objection noted under para. 2 dwindles down into nothing.

8.—The second objection, viz. that the law, quoted by the Reform Association, is questionable, is almost too puerile to deserve notice. Perhaps a more monstrous fallacy, in the course of a public discussion, of a grave and important subject,

was never set forth, by those who have any regard for truth. The falsehood is, deliberately, advanced to mislead the ignorant and credulous.

9.—If our opponents are rigid Hindus, as they profess to be, they must have some respect for Hindu scriptures, which are *Shrutis*, *Smritis* and *Púrāns*; and they must know, that it has been ordained by a high authority, that wherever *Vedās*, *Shāstras*, and *Púrāns* are found to oppose each other, the first are to be followed in preference to the second, and the second in preference to the third. As far as we have been able to ascertain, there is nothing in the first, prohibiting the marriage of a widow. The second and third are replete with doctrines bearing on the subject; therefore, we must, according to the order of precedent, already established, confine ourselves to the *Smritis*, leaving *Púrāns* out of the question in determining the point at issue.

10.—The grounds on which the Association take their stand are, principally, three:—

I. Parásar, an incontestible authority in the *Kalīyuga*, has declared the marriage of widows lawful.

II. The Legislature of our reigning Sovereign has declared it legal.

III. The Dwijas of Bengal have commenced to adopt the practice.

11.—Whether we have quoted Parásar correctly, or not, the sceptic has only to refer to the *Smriti* itself, when he will find that the permission is quite general, without reference to any particular caste; and that it has nothing to do with girls merely betrothed. For the satisfaction of such of our opponents, as are open to conviction, we shall make some quotations from other authors. In the commentary of Madhavacharya on the *Parásar Sanhitā*, it is thus mentioned:—

12.—Parásar having explained how the marriage of a younger brother, if taking place before the elder brother is married,

and how the consecration of fire, by a younger brother, before the elder brother has submitted to it, are to be treated, shews, that under certain contingencies, the re-marriage of women is lawful. He next shows, that it is *more* meretorious for women who, instead of marrying again, observe a life of abstinence from conjugal intercourse. He then shows that the burning of a widow, with her deceased husband, is attended with *still greater* merit.

13.—The merit of abstinence, from conjugal intercourse, is described to be the attainment of heaven after the widow's death; and that of becoming *sati* is, that the woman resides in heaven for as many thousands of years, as there are hairs on the human body.

14.—In the Nārada Saṁhitā occurs the following passage:—

“On receiving no tidings of a husband, on his death, on his turning an ascetic, on his being found impotent, on his degradation, under any one of these five calamities, it is canonical for a woman to take another husband. A Brahmin woman should wait eight years, for her absent lord; and four years only, *if she be childless*—then let her marry again. A Kshatriya woman should wait six years; and *in case she has no issue*, three years only. A Vaishya woman, if she has a child born, four years—otherwise only two. For a Sudra woman no period is mentioned, for which she is to wait for her husband. If it be heard that he is living, the rule is, that the periods above mentioned are to be doubled; when tidings are not received, the before-mentioned periods are enjoined. *Such is the opinion of Bramah, the lord of men.* In such cases, therefore, there is no harm for women marrying again.”

15.—With respect to our second position, we have to refer to Act No. XV. of 1856 of the Legislative Council of India, which begins thus:—

Whereas it is known that, by the law as administered in the Civil Courts, established in the territories in the possession and under the

Government of the East India Company, Hindu widows, with certain exceptions, are held to be, by reason of their having been once married, incapable of contracting a second valid marriage and the offspring of such widows by any second marriage are held to be illegitimate, and incapable of inheriting property; and, whereas, Hindus believe that this imputed legal incapacity, although it is in accordance with established custom, is not in accordance with a true interpretation of the precepts of their religion, and desire that the Civil law, administered by the Courts of Justice, shall no longer prevent those Hindus, who may be so minded, from adopting a different custom, in accordance with the dictates of their own consciences; and, whereas, it is just to relieve all such Hindus from this legal incapacity of which they complain, and the removal of all legal obstacles to the marriage of Hindu widows, will tend to the promotion of good morals, and to the public welfare; It is enacted as follows:—

“No marriage contracted between Hindus shall be invalid, and the issue of no such marriage shall be illegitimate, by reason of the woman having been previously married or betrothed to another person, who was dead at the time of such marriage—any custom, and any interpretation of Hindu law, to the contrary, notwithstanding.”

16.—Manu, upon whom the puppet Narayen Soonderjee is told to lay so much stress, declares, that “the corporeal frame of a king is composed of particles from Soma, Agni, Sūrya, Pavana, Indra, Cubera, Varuna, and Yama, the eight guardian deities of the world. By those guardians of men, in substance, is the king pervaded, and he cannot by law be impure, since by those tutelar gods is the purity, or impurity, of mortals, both caused and removed.”

17.—We shall examine Manu more closely, but with the qualification admitted in our Shastras, that in the *Kaliyuga*, he is not to be followed where Parásar has specially ruled. What is transmitted to us as *Manu Samhita* is avowedly a memorial of the recollections of one of our holy characters, named Bhṛigu, and in it occur the following passages:—

I. “Many thousands of Brahmins, having avoided sea-

suality from early youth, and having left no issue in their families, have ascended, nevertheless, to heaven."

II. "And like those abstemious men, a virtuous wife ascends to heaven, though she have no child, if after the decease of her lord, she devote herself to pious austerity."

III. "But a widow, who from a wish to bear children, slights her deceased husband by marrying again, brings disgrace on herself here below, and shall be excluded from the seat of her lord."

IV. "Issue begotten on a woman by any other than her husband, is here declared to be no progeny of her's, no more than a child begotten on the wife of another man belongs to the begetter; nor is a second husband allowed in any part of *this Code* to a virtuous woman." . .

18.—Here we challenge our opponents to point out where Manu has, unqualifiedly, prohibited the marriage of widows. He appears to have entertained no more than a sort of a nice, and virtuous sensibility which very often obtains, in our times, amongst Christians and Mahomedans—nay, even Sudras, who either from an affectionate devotion to the departed, or from a mistaken notion of their religious duties, or social position, consider it a question of taste and decorum to enter into a second matrimonial engagement. We have now in Poona, and elsewhere, a class of Mussulmans, whose females very often remain widows for life after the death of their first husbands. The families of Scindia, the Gaikwar, Holkar, and several other Mahrata Chieftains, have, invariably, led a life of celibacy on the death of their first husbands.

19.—It will not be a bare assertion, or a vague representation, like that of our opponents, when we venture to say that Manu is not the proper authority to be followed in the *Kali-yuga* in the case before us. Sir William Jones, acknowledged to be the highest and most eminent oriental jurist, has recorded his opinion, on Manu, in the following words:—

20.—“ It is a system of despotism and priest-craft, both indeed limited by law, but artfully conspiring to give mutual support, though with mutual checks ; it is filled with strange conceits in metaphysics and natural philosophy, with idle superstitions, and with a scheme of theology, most obscurely figurative, and consequently liable to dangerous misconceptions ; it abounds with minute and childish formalities ; with ceremonies, generally, absurd, and, often, ridiculous ; the punishments are partial and fanciful, for some crimes dreadfully cruel, for others reprehensibly slight. * * * *

* * The learned Hindus are, unanimously, of opinion, that many laws enacted by Manu, their oldest reputed Legislator, *were confined to the three first ages of the world, and have no force in the present age*, in which a few of them are certainly obsolete.”

21.—That, practically, Manu, has not been cared for, or attended to, in almost every concern of the great majority of the Dwijas, we shall presently show. The great Legislator is stated to have ordained in his Code that—

I. “ A Brahmin, if he takes a Súdra to his bed as his first wife, sinks to the regions of torment ; if he beget a child by her, he loses even his priestly rank. For the crime of him, who thus illegally drinks the moisture of a Súdra's lips, who is tainted by her breath, and who even begets a child on her, the law declares no expiation.”

II. “ Whatever male relations, through delusion of mind, take possession of a woman's property, be it only carriages, or her clothes, such offenders will sink to a region of torment.”

III. “ Great families are sunk, to a low state, by practising manual arts, by lending money at interest, and other pecuniary transactions ; by begetting children on Súdras only ; by traffic in kine, horses, and carriages ; by agriculture, and by attendance on a king.”

IV. "From month to month, on the dark day of the moon, let a twice-born man perform the solemn Shrāda. It must be performed with extreme care, and with *flesh meat* in the best condition."

V. "Should the eater of a Shrāda enter, on the same day, the bed of a seducing woman, his ancestors would sleep for that month on her excrement."

VI. "Let him (a Brahmin) not dwell in a city governed by a Sūdra king, nor in one surrounded with men unobservant of their duties, nor in one abounding with professed heretics, nor in one swarming with low-born outcasts."

VII. "Let him (a Brahmin) not use either slippers, or clothes, or a sacerdotal string, or an ornament, or a garland, or a water-pot, which before have been used by another."

VIII. "From a king *not born in the military class* (Kshatriya) let him (a Brahmin) accept no gift, or subsist by the gain of prostitutes."

IX. "He who receives a present from an avaricious king, and a transgressor of the sacred ordinances, goes in succession to twenty-one hells."

X. "No twice-born man must eat garlic, onion, leek, and mushrooms and vegetables, raised in dung."

XI. "The twice-born man, who has intentionally eaten mushroom, a leek, or an onion, or garlic, is degraded immediately."

XII. "On a solemn offering to a guest to a sacrifice, and in holy rites to the manes or to the gods, but on these occasions only, may cattle be slain. The twice-born man, who, knowing the meaning and principles of the Vedas, slays cattle on the occasions mentioned, conveys both himself and those cattle to the summit of beatitude."

XIII. "Not a mortal exists more sinful than he, who, without an oblation to the manes or the gods, desires to enlarge his own flesh with the flesh of another creature."

XIV. "Let no Brahmin ever beg a gift from a Súdra; for if he performed a sacrifice after such begging, he shall, in the next life, be born a *Chandala*."

XV. "Accepting presents from despicable men, illegal traffics, attendance on Súdra, and speaking falsehood, must be considered as causes of exclusion from social repasts."

22.—We could run the list of quotations to an enormous length. The selection, however, limited as it is, is quite sufficient for our present purpose; and we maintain, without the least fear of contradiction, that, in the whole of Brahmin-dom, not a single Dwija will be found who has not departed from most, if not almost all the rules prescribed by his reputed common father. We ask in the name of RAMA and KRISHNA, why is this wholesale violation of the laws so much esteemed by you Mr. Dwija? Is it not because they are not agreeable to your wishes and wants? You feel the want of a partner, and supply it in the best way you can; you do not hesitate to make, your own, the property of males or females that, accidentally, falls in your way; you cannot sustain life with comfort and happiness, without becoming money-lender; without carrying other trades forbidden to you; without taking employment in the services of a Súdra,—nay, a Mlench King, and without receiving gifts and presents from all classes, of men and women, that can possibly give you any. You do not mind eating onions and garlic; whilst you will not openly use flesh-meat, on the occasions, on which Manu has told you to use it; you do not care using it secretly with ardent liquors, with a select number of companions, invited for the diabolical worship of a deity of your own creation, not, perhaps, unlike the Kali of

the Thugs, which cannot be propitiated, except by her votaries murdering human beings in cold blood ! In other words, whilst, you, Brahmins, Kshatriyas, and Vaishas, can afford, by your constant transgressions, to be degraded here beyond the pale of expiation ; to be consigned to twenty-one hells, as the greatest sinners, or thrown into the regions of torture and torment, and to become *Chandals* in your future state of existence, according to Manu, you cannot suffer your women to be subjected to the most simple consequences attached to re-marriages, which are nothing when compared with the ignominious and abominable punishments which await yourselves !

23.—Some of our opponents express the deepest sympathy in the sorrows and distress of the widows ; but delusion, combined with jealousy, has, so thoroughly, overcome their powers of action, that they will not release their females from the bondage of slavery and disgrace, into which they have been thrown, nor will they allow them to choose the least of the category of sacrileges pointed out by their Adam ; most of which they have, themselves, openly committed, during their earthly career. Had it not been for the conquest of India, by the British, they would have continued to burn their harmless females in the funeral pyres of their deceased husbands ; and to induce the credulous and simple old men and women to throw themselves under the car of Jugunnath, or to drown themselves in a holy stream, and to tear infants from the bosoms of mothers, and to throw them to the sacred sharks of the Ganges, and to do a number of other abominations !

24.—The prohibitionists of the reform pretend to be ignorant that *Parás'ar* lived in an age more recent than the times assigned to Manu ; and that it is a received maxim of the whole of the civilized world that later laws abrogate prior contrary laws.

25.—The text of Manu, relied upon by our opponents, besides its want of imperativeness, is merely a religious precept, and is rendered quite insignificant by other ethics of the same author, and those of several revered lawgivers other than Parás'ar, as may be seen from what follows :—

Manu.—"If a woman, after becoming a widow, or being divorced by her husband, marries again, the son born to her is called a *Pounarbhava*."

Vishnu.—"She, who though married, continues a virgin, undergoes the ceremony of marriage for a second time, is called a *Punarbhū*."

Yādnyavalkya.—"She who continues a virgin or otherwise, is called a *Punarbhū*, if she undergoes the ceremony of marriage for a second time."

Vasista.—"She who having forsaken her lord for his impotence, degradation, or insanity, or on his death, takes another husband, is called a *Punarbhū*."

26.—*Pounarbhava*, meaning a son born in the second wedlock, is admitted by Hindu jurists to be as legal an issue as the offspring of the first marriage of a woman. Besides the text quoted from Parás'ar by us in the circular (Vide Appendix A.) being specially intended for the *Kaliyuga*, that great Legislator has declared the designation *Pounarbhava* not applicable to sons born in second wedlock in this age. *Yadnyavalkya*, just quoted, in treating of the liabilities of persons who should pay the debts of a deceased man, mentions "the same responsibility attaches to him who takes the wife of the deceased." This will be found in the *Vyawaharamayukha*, translation of which, by Borradaile, may be seen in every court. We will not conceal, that the Shastris of our times strain their nerves to construe this passage as intended to apply to the cases of *Súdras*; but when they are required to point out where permission, or prohibition, for *Súdra* female remarriage is particularly prescribed, they make a vain attempt to

refer to Parás'ar, whose ordinance we have already shown in the foregoing discourse to be quite general or applicable to all castes. We do not wonder at such attempts at misrepresentation, when we recollect that commentators on Parás'ar Sanhita itself, evidently from a natural aversion to the measure, have tried to put an inconsistently wrong interpretation.

27.—That Dwija women look with horror and disgust on remarriage, is the third argument of our opponents. We need, scarcely, say that it is quite puerile. If it were possible to prepare a list of all the widows who have gone astray during the present century, that would have been some evidence against the argument. It is the law of nature, that males and females should keep company, the vacuum occurring on either side, by death or other causes, being filled up by new accessions. Widows, who have passed their youth, or whose minds have a predilection for the instruction of the priestcraft, and who have a bias against what appears, or rather what they are taught to regard, as a degradation, may temporarily dislike the reform; but when all those whose duty it is to disabuse their minds, sincerely and zealously perform it, the female opposition will be very slender and weak, and melt away as the snow does when the sun becomes bright. We shall simply ask, if the male Dwija obtains the consent and concurrence of all the females of his family, before he does anything, and every thing, either to please himself, or, as he fancies, his creator. We beg to be distinctly understood that we, by no means, think that the greater part of the Hindu females are vicious. There are amongst us as many good, and virtuous, women as any other nation can boast of.

28.—Men in their domestic life punish women for their immoral conduct, and frequently excommunicate them from caste; but has any of our opponents known an instance in which the priestcraft, or the heads of caste, have punished a single man for adultery, and similar other vices declared by

their religious law, equally as punishable in him as in the female sex ? All Hindus are taught, from their childhood, to respect the Brahmin, howsoever impure or vicious in his general conduct he may be ; to do nothing before consulting him ; and eat nothing before giving him a share ! All females are taught to adore their husbands as deities, no matter what their intellectual or moral defects may be. What is this, but a system of pure despotism ? Where, then, superstitious Kshatriyas and Vaishyas have no free will to follow, where the influence of Brahmins is predominant, what choice could the weak sex have, whose social position has not been what nature intends it to be ?

29.—Your *Manu*—hark, Mr. Dwija, hark !—has said that, “A king, knowing the revealed law, must enquire into the particular laws of classes, the laws and usages of districts, the customs of traders, and the rules of certain families, and establish their peculiar laws, if they be not repugnant to the law of God.” Even supposing, that the Legislative Council of India, representing our Sovereign Queen have, in passing Act No. XV. of 1856, made an attempt to break through your Brahminical custom, you must grant, that the attempt has been made after a strict enquiry into the particular laws of classes and usages of districts, to establish a peculiar law which is “not repugnant to the law of God.” It will be the height of folly to fancy, that our present lawgivers made no proper enquiry, when they declared that the custom of widows, not taking second husbands, was not warranted by the true interpretation of the Hindu law.

30.—It cannot but be stubbornly heretic, apostatical and seditious in all, who give utterance to such expressions as these. “We don’t care a pin about *Parás’ar* ; the British Government have enacted a false law ; we cannot adopt the example of the Bengal *Dwijās*.”

31.—One principal objection, that it would be a violation of

the marriage vow, remains to be noticed. Whether civil or religious, marriage is an alliance formed between two parties ; and the oath is one which is not confined to the bride ; the bridegroom makes a similar vow ; and it was one, our ancient history tells us, which was literally observed by Shri Ramchundra when he was obliged to expel Sita from his house. When, however, the oath continues no longer binding on the male when the female is dead, it is barbarously despotic to hold it binding on the bride when the bridegroom is dead. It is, jealousy—jealousy—savage jealousy indeed ! Again, when a second marriage is recommended, in our Shastras, to widows, the oath or promise reciprocally made dies, as a matter of course, with the first husband.

32.—Even supposing for argument's sake, that what Parás'ar has ordained is for the times of yore, or that it is only intended for Súdras to follow, we shall endeavour to show, by a parity of reasoning that no Hindu lawgiver could possibly, or properly, have prohibited it to the Dwijas in the *Kaliyuga*. It is not denied, by our opponents, that in the last three ages, viz.—*Kṛita*, *Tretá* and *Dwápar*, widows were allowed to espouse second husbands, and that elder brothers and other kinsmen were permitted to procreate sons on widows of deceased relations. The *Mahá Bhárat* says, that Dhritaráshtira and Pandú were procreated, by their uncle Vyas on Ámbá and Ambálaya, after the death of their father ; and that because Pandú, himself, had been deprived of the power of propagation by a curse, the five Pándavas themselves were the offspring of five different fathers ; and of them Arjun was married to a sister of Shri Krishna, the tenth incarnation of Vishnu. That Pándavas flourished 653 years after the commencement of the *Kaliyuga*, can be denied by no one. That mankind will degenerate, and their longevity will be greatly shortened in the *Kaliyuga*, had been predicted by our several respected Rishis. How, then, in the name of every thing that is dear to us, can

it be possible that our lawgivers expected, in the females of the *Kaliyuga*, a stronger rectitude of purpose, a higher degree of virtue, a more rigid self-denial, and a more steady austerity than women of the preceding ages could command? Were they so inconsiderate as to open a wider course for the females to go astray, by inculcating rules of morality, which common sense had predicted, it was impossible for woman-kind to observe in the iron age?

33.—We shall, incidentally, notice a minor objection of our opponents, viz.—If the law is such as we describe it, and if the practice introduced by the Bengal Dwijas is good, how is it that Brahmins and other Dwijas have not adopted it on our side of India? * Our answer will be simple. Reforms proceed at a very slow pace, and have as many difficulties to surmount as an army, however properly equipped it may be, has to do in a country overrun with mountain fastnesses and deep rivers, guarded by desperate and savage foes. † Shankaráchárya is admitted by us to be a messenger from God, who appeared in the *Kaliyuga* to eradicate the Jain and Buddhist religions. How is it that these creeds still prevail, to a very great extent, in Guzerat, Central India, Ceylon, China, and other countries? He revived the *Agnihotra* (maintaining a perpetual and sacred fire), and the *Sanyás* (casting off of all worldly concerns); but how is it that these rites are not yet commonly known on the Bengal side? Rámdás, Dnyáneshwar, Eknáth, and a number of other Brahminical Saints appeared on the earth to reclaim mankind from heresy. How is it then that none of them were able to reform the people of the Christian, Mahomedan, and Zoroastrian persuasions; nor even the Sikhs, who

* See an account of a Brahmin Widow Marriage which took place on the 15th June 1869. [See Appendix L.]

† The Abyssinian War between the English and Theodoros of Magdala concluded in 1868 is an appropriate illustration of this position.

have been, comparatively, a peculiar class of sectarians of a very recent period? The founder of this class, Nānak, was born a rigid Hindu in A. D. 1419, in the Province of Lahore. His principal object was to abolish the system of plurality of gods, and to put down idolatry. His followers were originally called "Sishas," meaning disciples, according to Sanscrit Lexicon; and that word was in course of time corrupted into Shikhs by the rule which obtains in the Northern Provinces, of rendering "sh" into "kh." From religious sectarians, they were changed by Guru Govind into ferocious warriors, and formed, until lately, a strong power in India. The Guzeratis have a proverb, that cowards abroad are braves at home. This old adage is exemplified by the conduct of those who wish to frighten us with their Brahminical logic.

34.—We shall ask our Dwija opponents if they have implicit faith in their own religious law? We maintain that they have not; besides the direct transgressions which we have already described, a great part of the Dwijas may fitly be called Hindu-moslems, or Goa-Christians,—for whilst they will worship a Lingum, of Mahadeo, in one edifice, they will in the next adore and respectfully bow to a Mahomedan tomb or mosque, and in the third prostrate themselves before the representation of the Virgin or the twelve Apostles, and offer religious presents; they will become Fakirs during the Mohorum, or they will go about putting frankincense in fire pots, placed before Taboots, and pray to Mahomedan "Peers" to bless them with children, and do numerous other acts strictly prohibited by their parental law.*

* In Poona itself, a large number of Hindus including Brahmins, go every Thursday to Nana's Payat, with presents to the Wooden Horse, upon which a Taboot is mounted, and which is called the Ghora Peer or the Horse-Saint. The Deshmooks and other Brahmins of Ahmednugger carry on their shoulders Taboots of Mahomedans, and during that festival Brahmin females and children go in a great number to the Taboot of "Bara Emams" and receive from the Mahomedan Fakirs dressed food.

35.—The last, but not least, is the objection that no instance of re-marriage of females of the Dwija class is to be found in the history of the *Kaliyuga*. We have, in fact, no authentic history of Brahminhood ; nor any other work giving an account of the manners and customs actually followed by us. “Puráns” are, however, admitted by our opponents to be ancient history. We shall, therefore, refer to some of them. Arjuna, one of the Pándavas, who lived more than six hundred and fifty years after the commencement of the *Kaliyuga*, married the widowed daughter of Airávata, the King of Nágas. Her first husband was killed by Súparna, and the son begotten by Arjuna, on “that dejected and sorrow stricken daughter,” was named Iráván.*

* The following letter from Dr. Bühler, an eminent Oriental Scholar, to the Editor of the *Indu-Prakash* dated the 16th July 1869 shews that the Marriage of Widows was known to the ancients:—

MY DEAR MR. VISHNU SHASTRI,—You know, how I interest myself for your fight about the remarriage of widows and that I, for my part, am convinced, that it was frequently practised in ancient India.

I am glad to be able to give you now another passage of the Shruti, which distinctly shows that the Rishis did not consider the practice unlawful. For, the Taittiriya A'ranyaka, the sixth Prapáthaka, contains the Mantras used at the Pitṛimedha. Amongst the ceremonies, performed at the burial of an A'hitágni, is one which requires, that the wife of the deceased sits down by his side, whilst Mantra 13 of the first Anuváka is recited which, according to Sáyaṇa may be rendered thus:—

“Here thy wife, O mortal, keeping all the ancient (ordinances), desiring (to reside) in her husband's world, approaches thee, who art departed. Allow her (the possession of) her children and wealth.”

After this the priest approaches the wife, takes hold of her with his left hand, raises her up and recites Mantra 14,—

• “Rise up, O woman, thou liest near him whose life has fled: go to the world of the living. Become now the wife of a hus-

36.—We shall address ourselves more closely to our own class, who claim to be Kshatriyas. If we take Manu to be our sole guide, we must admit that we have disobeyed him in a thousand different instances. It is custom alone, strongly implanted by feelings of pride and jealousy, which makes our opponents averse to the proposed reform. Before the supremacy of Brahmins began in the Mahratta country, which was about the year A. D. 1714, we, Pathare, or Patane Prabhus followed Parásar, a fact which is established by the papers forming Appendix C and D. We exhort our fellow castemen not to go to the ludicrous extremity of denouncing the fragments, from the Mahratta records; as forgeries; for we can prove their authenticity. Moreover, they are greatly in our favour, as may be seen from the explanation which follows.—These papers are dated in A. D. 1713 and 1789.

band who desires to take a woman married before, and who is ready to espouse thee."

The last underlined words have been given according to Sáyana's interpretation, which, though correct as to the general sense, is, I think, not exact, as far as the explanation of the forms is concerned. *Abhisam babbhúva*, which he takes for an imperative is the third person sing : indicative. The Vedic imperative of *babbhúva* is '*babbhúhi*.' Literally the last words of the Mantra mean,—

<i>etat</i>	<i>janitvam</i>	<i>patnyuh</i>
now or there	the wifehood	to a husband.
<i>didhishoh</i>		<i>hastagrābhāsyā</i>
who wishes to take a woman	who (wishes) to espouse (thee)	
formerly married.	(lawfully.)	
	<i>abhisambabhúva</i>	

has approached (thee); i.e., there in the world of the living thou wilt find another husband.

I send the portion of the A'ranyaka, where this text occurs and so you may judge for yourself. You may make use of this letter as you like,—Yours truly,

G. BÜHLER.

37.—The first of these shows that, after a searching enquiry, it was determined that we were descendants of Bim Raja and his Rajput companions ; and that the practice of remarriage had been observed, by us, for a length of time, until a wealthy, and influential, member thought it proper to attempt to put a stop to it. This attempt was made about forty years before the year A. D. 1743, that is about 183 years ago.

38.—That Raja Bim, or rather Bhim, was the founder of our race, and that he came from Pattan, is allowed by every member of our caste ; and we have records to shew this. We have also records to shew, that we were allowed by several Sunkera-charya Swamis to be Kshatriyas ; and that we were issues of a class known to the *Nirnaya Sindhu* as Pathari Kshatris.

39.—We shall endeavour to trace the origin of Bhim Deo, or Raja Bhim. The history of Guzerat shews, that in ancient times, that Province was ruled by Rajputs and Koteles, who being independent of each other, were persons of power within their own domains. The army of Deva Raja of Kanoj used, annually, to visit Guzerat to collect tribute from the numerous chiefs scattered over the country. A petty chief named Sumanta Sena, a vassal of the Emperor of Kanoj, then the greatest potentate of all the Princes of Hindustan, was put to death for his turbulence, and his house was plundered, when his wife, then pregnant, fled towards Guzerat. On her journey, she gave birth to a son, who being discovered in the wilderness by Raja Sil Deva of Malva, was taken to Randhanpura, and there brought up by him. The youth, however, for a time, led a predatory life, and in one of his excursions having got hold of a large quantity of treasure, which was proceeding to Kanoj, he collected a number of followers, and established his power and independence, assuming the title of Vana Raja or King of the Forests. He then laid the foundation of the city of Pattan, and made it the seat of his Government. It was first called Anhilwara, from the circumstance of the locality having been point-

ed out to the Raja, by a shepherd named Anhil. It soon after became known by the name of Nhowrala, which name was, subsequently, changed into Pattan. The foundation of this city is stated by some to have been laid in A. D. 747, and by others in 817. Champanere is said to have been built about the same time by Champa, a Bhil, and a friend of Vana Raja. This Pattan is known to the history of British India as Somnath Pattan, or Pattan Somnath, and Hamilton, in his East India Gazetteer, describes it to be, "A town near the southern extremity of the Guzerat Peninsula, twenty miles N. W. from Due-head; lat. $2^{\circ} 53'$; long. $70^{\circ} 35'$ E. By Abul Fazel, in A. D. 1582, it is described as a large town on the sea shore, with a stone fort in a plain. The city is a place of great religious resort. The surrounding country was named Soreth, although at present more generally known by that of Kattywar."

40.—There were a number of royal races of Hindus, of whom three, successively, ruled over Guzerat—viz., CHOWRA, SOLANKHI and BHOGILLA. Vana Raja belonged to the first, and the three dynasties ruled Pattan in the order given below:—

• *Chowra Rajputs.*

	For years.	Months.
1 Vana Raj.....	60	..
2 Jog Raj	35	..
3 Khin Raj.....	25	..
4 Raja Pithù	29	..
5 Raja Vijysen.....	25	..
6 Raja Rawútsen	15	..
7 Raja Sawant or Samalsen.....	7	..

Solankhi Rajputs.

8 Múl Raj	56	..
9 Jamund or Chamunda.....	12	4
10 Bilba or Walabha	0	7
11 Durla Deo or Durlatbha Deo.....	8	..
12 Raja Bhím Deo.....	42	..

	For years.	Months.
13 Raja Karna.....	31	..
14 Sid Raj Jeysen	50	..
15 Kuniwara Pala	30	6
16 Ajé Pala	3	1
17 Lakhu Mul Deo	20	..

Waghela or Bhogilla Rajputs.

	For years.	Months.
18 Anival Mùl Deo.....	12	5
19 Raja Visal Deo, who colonized the town of Visanagar.....	34	..
20 Raja Bhim Deo.....	42	..
21 Raja Arjund Deo.....	10	..
22 Raja Sarung Deo.....	21	..
*23 Raja Karan.....	6	2

41.—From the last member of the Chawra race, the sovereignty of Pattan descended to Mulraj Solankhi, the grandson of the former by his only daughter, who died in child-birth; and from the Solankhies, the *gadi* fell to the lot of the Bhogilla line, owing to Lakhu Mul Deo not having a child fit to be enthroned. Amongst the twenty-three rulers, named in the foregoing list, there are two Bim or Bhim Deos, and the question is who is our ancestor? It will be vain to claim parentage in the Solankhi Bhim Deo; for he is represented to be a contemporary with the celebrated Bhoj Raj of Malwa, and to have died on the Himalayahs, where, after abdicating the throne in favour of his son Karan, he retired for devotion and penance for the purification of his soul. We may, however, claim as our founder the Bhogilla Prince, or, Bhim Deo II. In the Chronicles, called Bharot Chund, he is represented as having fallen in a battle with Pruthuraj, the Chowan king of

* Some of the proper names in the three lists are apparently written in a corrupt form, from ignorance of the Mahomedan authors, who have first compiled the history of Guzerat.

Delhi, and successor of Anung Pala; but more sober accounts relate, that Bhim Deo II., not only survived his own defeat by the sovereign of Delhi, but witnessed the fall of Pruthuraj by the Mahomedans, who made so many successful descents on Guzerat, and destroyed the famous temple of Somnath. In A. D. 1194 Anhilwara (or Pattan the capital) was invaded by an army commanded by Kut-bud-din, when Bhim Deo II., after a desperate struggle, was obliged to fly from his domains. He is, afterwards, supposed to have died in his exile about the year A. D. 1215. His successor, who was, evidently raised to the *gadi* by the conquerors, though belonging to the Bhogilla race, was not a lineal descendant of our Bhim Deo. With Raja Karan ended the empire of Guzerat. This Karan had, in his time, to fight with an army of the Mahomedans, and was defeated, and had to fly for his life to Deoghur, in Baglan, now forming part of the Collectorate of Khandeish.

42.—We have only to connect the exile of Bhim Deo II. beyond the Nerbudda, with the adventures, which our manuscript records contain, bringing him with twelve solar princes, sixty-four lunar Xatri families, and a large body of military followers into the Northern Konkan, where he obtained victories over the local Naik chiefs, and established a kingdom—making, eventually, Mahim, (now forming part of the Island of Bombay) his capital, and Prabha Devi, his summer residence.

43.—We may mention that, it is not from tradition, or vague stories, that we have made our short account of the origin of Bhim Deo II. We have consulted Asiatic Researches, Bird's History of Guzerat, Grant Duff's History of the Mahrattas, Elphinstone's History of British India, Forbes' Ras-Mala, and other works, which are, reputed to have been, compiled from reliable sources.

44.—We have now, particularly, to notice a part of the decision arrived at by the authorities, of the Peishwa Ballaji

Bajirao, as contained in Appendix C. For the sake of easy reference, we make an extract from it here :—

“It was in consequence agreed that, with a view to determine the origin of the Prabhu caste, a meeting of the old residents of Bassein, possessed of hereditary estates, should be assembled. Accordingly, all such land-holders, including those invested with authority in matters of religion, the priests, the astrologers, the Senois, the Palsi Brahmins, the Sam Vedi Brahmins, the Punch Kulsis, the Coppersmiths, the Goldsmiths, the Bhandaries, and all the old residents, of whatever caste, also the Pattane Purbhus, such as Dadajee Janojee, and Sunder Anunt, as well as distinguished members of the community, residing at Bassein, Agashe, Mahim and Sion districts, being assembled together, it appeared to the satisfaction of all, from the oral, and written, testimony which was produced, that the Pattane Purbhus were descended from Raja Bhim, and his associate Rajputs, *by unlawful wives*; that the remarriage of widows, and the performance of various ceremonies, observed by Sudras, were practices of long standing among them; but about forty years ago, Dhakjee, an uncle of Dadajee Janojee, being a very opulent Purbhu, determined, with the consent of the whole community residing at Bassein, Salsette, and Bombay, that the remarriage of widows should be discontinued, and religious rites, such as are performed only by Shudras, should be given up. One reason for this was to prevent his son's widow, a very handsome woman, from marrying again, and abandoning his family.”

45.—We do not, as we have once observed, doubt the authenticity of the documents, but we strongly object to one of the conclusions therein drawn, viz., “that we are descended from fathers who had unlawful wives.” This expression seems to have been used by those entrusted with the enquiry, either from strong party feeling, or simply from their ignorance of

the true interpretation of the existing laws. Manu, the reputed common father of the Brahmins and ourselves, enumerates eight forms of nuptial ceremonies, viz.—1, BRAHMA ; 2, DEWA ; 3, RISHI ; 4, PRAJAPATIA ; 5, ASURA ; 6, GANDHARVA ; 7, RAXASA ; and 8, PISHACHA—and they are described thus:—

- “ Brahma Vivaha is the gift of a daughter, clothed only with a single robe, to a man learned in the Veda, whom her father, voluntarily, invites and, respectfully, receives.”
- “ Deva Vivaha is a gift of a daughter, whom her father has decked in gay attire when the sacrifice begins, to the officiating priest who performs that act of religion.”
- “ Rishi Vivaha, is giving away, by the father, his daughter after having received from the bridegroom one pair of Kine or two pairs for uses prescribed by law.”
- “ Prajapatia Vivaha is that when the father gives away his daughter with due honor, saying distinctly, ‘ May both of you perform together your civil and religious duties.’ ”
- “ Asura Vivaha is that when the bridegroom having given as much wealth as he can afford to the father and paternal kinsmen, and to the damsel herself, takes her voluntarily as his bride.”
- “ Gandharva Vivaha, is the reciprocal connection of a youth, and a damsel with mutual desire, contracted for the purpose of amorous embraces, and proceeding from sensual inclination.
- “ Raxasa Vivaha, is the seizure of a maiden, by force, from her house while she weeps and calls for assistance, after her kinsmen and friends have been slain in battle or wounded, and their houses broken open.”—And the
- “ Pishacha Vivaha, is that when the lover secretly embraces the damsel either sleeping or flushed with strong liquor, or disordered in her intellect.”

46.—Bhrugu, the organ of Manu, then proceeds to say :—

“ Let mankind know, that the six first, in direct order, are by some held valid in the case of a priest ; the four last in that of a warrior ; the same four, except the Rakshasa marriage, in the case of a merchant and a man of the servile class. Some consider the four first only as approved in the case of a priest ; one, that of Rakshasa, as peculiar to a soldier ; and that of Asura, to a merchant and a servile man. But in this code, three of the five last are held legal, and two illegal—the ceremonies of Pisacha and Asura must never be performed. For a military man, the beforementioned marriages of Gandharvas and Raxasa, whether separate or mixed, as when a girl is made captive, by her lover, after victory over her kinsmen, are permitted by law.”

47.—With respect to the sacerdotal class, “ gift of a daughter, when accompanied by the pouring of water into the hand of the bridegroom, is declared most approved,” but the ceremonies of the other class—Mind ! Reader, mind ! “ may be performed according to their several fancies.”

48.—When our Rajput ancestors were royal exiles, from their dominions, escaping from danger and the bloodthirsty Moslems, it was not quite possible for them to bring along with them all their females. History says, that when Bhim Raja, as well as his successor, were vanquished, they lost the greater part of their household females, horses, elephants, treasure, and the like, all of which property was carried away by the conquerors to Delhi. But when Bhim Deo and his adherents saved themselves from the general massacre, they must have saved some, at least, of their females. It is therefore, quite absurd to assume, that all and every one of them had to take wives of the conquered country, then known as—and still called—Danduk Arania. If any, or the greater portion of Bhim Deo’s adherents resorted to such a measure,—apparently, opposed to the general custom of the Dwija classes,

they were surely warranted by law to do so; for taking the girls of a subjugated nation for wives, with such ceremonies as the circumstances permitted, was, according to Mann, as canonical as it was for the Peishwa and his Brahmin counsellors to do with the pouring of water on their palms. It is likewise necessary to bear in mind, that the Peishwa was trying to ascertain, in the 18th century, the particulars of an event which had taken place in the 12th or 13th century; it is therefore quite possible, that if any of the descendants of Bhim Raja's companions were illegitimate, the Brahmin authorities have confounded the Pattane Prubhus with the Bhandaries or tody-drawers of Salsette, who claim their descent from the followers of the said Prince, and are still surnamed Bhogilas, (the name of the race of Bhim Deo), who are erroneously converted into Bhongalees in the "Transactions of the Bombay Geographical Society from 1836 to 1838," and rendered blowers of trumpets. These Bhogilas or Bhandaries are represented in our MSS. history as having been at one time in power in Bombay, and other places, until they were subdued by the Mahomelans.

49.—The period mentioned in the Peishwa's extract, when we first made the attempt to put a stop to the re-marriage of widows, was, during the early part of the Mahratta rule, when the mania for imitating the Brahmins (who must have given up the practice in past period, which we shall try to ascertain) seems to have caught us, particularly to raise ourselves in the estimation of the people of those times. We know several other classes of Hindus,* who have adopted our example at a much later period; and there is a certain class, amongst whom the practice of continuing widowed females in celibacy, for life, is but partially observed, despite of vigorous attempts made by some influential members to put a total stop to it.

50.—We append, as accompaniments, E. F. and G, extracts

* 1. Sonars (goldsmiths) or Devadna Brahmins. 2. Panchkulsis or Somvownsi Kshatris.

from several Mahratta papers conducted by Brahmins, containing their opinion on the reform advocated by us; and we conclude with a hope, that our adversaries, of whatever Dwija caste they may be, will patiently, and impartially, reconsider the subject, and lend us their cordial co-operation in bringing about a reform, calculated to improve the moral and social condition of our distressed females.

51.—Since the foregoing pages were written, the *Dnyana-Prakash* of Poona, has published several articles on the important question herein discussed, and they appear to us so valuable, that we cannot properly exclude them from our compilation. We accordingly annex them as Appendix H., and invite thereto, the particular attention of our adversaries—inasmuch as they go to shew, beyond what we have as yet attempted, that the practice of widows espousing second husbands, is recognized by the Vedas themselves;* and that the Aditya Puran, so often relied upon by the prohibitionists, is quite susceptible of being reconciled with the doctrines of the Parás'ar Sanhitá. We are quite prepared to meet any replication which any one may choose to hazard to this tract, provided it is not anonymous or pseudonymous.

* See note in pp. 19-20.

NATIONAL ARCHIVES OF INDIA

APPENDIX A.

CIRCULAR, IN MAHRATI, ISSUED TO ALL THE PATHARE PRABHUS.

SIR,

We, the Members of an Association, advocating the cause of Women, who have, and who may become widows, beg respectfully to state, that you must be fully sensible of the awful condition into which Females of all ages, and particularly those of a tender age, in the higher classes of the Hindu community, who have the misfortune to lose their husbands, are generally thrown, and also of the bitter anxiety, bordering almost on mental torture, which such a calamity is sure to bring on their parents and other near relatives. You must also be aware of another fact still more deplorable, that scarcely a family can be found to exist in our community which has not been more or less subject to this torment of the heart, and the consequent evils and miseries attendant thereon. It would therefore be needless for us to rake up your mind, by prefacing this address with a recapitulation of a domestic calamity, the nature and extent of which every one of you seem to have had some experience. We, however, consider it our duty to trace up the evil as briefly here as we can to its real source, and to betake ourselves practically to remedying it with such means as are in our power. It must be admitted, that the existing practice of not re-marrying widows of certain Hindu classes is based on an almost

universal, but literally wrong impression, that our Shastras do not permit such a matrimony; but we would now undertake to shew you from the Shastras themselves, that there is no such absolute and unqualified prohibition in them. Parasara, who is allowed to be the incontestable authority in the solution of this question, particularly in the Kaliyuga, clearly dictates, in what is called Parasara Smriti :—" *Taking another husband* (meaning other than him with whom a woman was first married) *by women whose husbands have absconded, or whose existence cannot be ascertained, or who have died, or who have assumed the life of an anchorite, or who are found impotent, or who have been excommunicated, is lawful; these five being the calamities appertaining to women.*" It cannot be denied, that many other oriental writers have prohibited such remarriages; but it must be borne in mind, that that prohibition is not at all intended to extend to the present Kaliyuga, to which the injunction of Parasara, as above quoted, is alone applicable. Such has been the decision arrived at in Calcutta, after a long discussion on this point. A variety of instances may be found in the History of the country of such re-marriages having actually taken place in the Kaliyuga. It must moreover be obvious to you all, that on a representation of their views on this subject, made by the leading members of the Hindu community of Bengal, an Act was passed by Government in 1856, legalizing such re-marriages among Hindus, and declaring the issues of such marriages to be lawful. Since the introduction of this Act, the practice of re-marriage has been re-introduced among the Brahmin, Kshatriya, and other high castes of the Hindus in Bengal. It must also be more than apparent

to you all, that, the desire of re-introducing the re-marriages is not confined to the Bengal Presidency alone, but that it exists to a great extent among Brahmin and other high castes in our Presidency also. Neither does our own caste appear to us to be wanting in participating in the same philanthropic feelings. Many a man and woman may be found eagerly anxious to have this practice re-introduced amongst us. This desire however has not as yet been carried out, because of the fear of excommunication and want of confidence in the assurances of those promising support in this matter. You must all grant that from a late incidence in our caste, which may still be quite fresh in your memory, that such a fear, on their part, is not ill founded, and that it is not advisable to rely on verbal promises alone. Some substantial guarantee must be devised to secure the practical support and co-operation of such members of our caste as are favorably disposed towards the re-introduction of this practice amongst us. Persuaded as we are of the necessity of such a measure, we have been induced to prepare a legal document, in the shape of a written agreement, being a declaration, on the part of those who may sign it, that they would continue to maintain the same social and national intercourse as they have hitherto done, with the re-married woman, her husband, and their relatives. This agreement will be sent to you for your signatures, and we sincerely trust that you will subscribe to it, securing thereby to you and your posterity the thousand blessings of poor and helpless women.

It is far from our intention to make it obligatory on those to whom the document will be sent, to sign it. We, of course, leave it to their option to do so. From

amongst the members of the Association, we, eight persons, beg to subscribe ourselves to be,

Your respectful servants,

(Signed) Moroba Cannoba.
 " Gopinath Rughoonath.
 " Ladcoba Atmaramjee.
 " Ramchandra Balcrishnajee.
 " Dwarkanath Jugunnathjee.
 " Nana Moroji.
 " Balkrishna Luximon.
 " Gunputrao Shreekrishna.

21st may, 1863.

APPENDIX B.

Extract from a letter from NARAYAN SOONDERJEE CASSI-NATHJEE, of Bombay, to MOROBA CANNOKA, Esq., Secretary to the "PATHARE REFORM ASSOCIATION," dated 30th June 1863.

I have received the Printed *Murathee Circular*, together with the proceedings of the so-called PATHARE REFORM ASSOCIATION, forwarded by you.

I have perused both these papers very attentively.

The chief object of your Association seems to me to introduce (and not re-introduce, as you wrongly state) the practice of female remarriage, or "Pat," amongst our caste.

You enumerate the evils arising from the prohibition, and ask every member of our caste to join you in removing the same.

You take your stand on religious grounds, and quote a Shloka from the text of Parashur in support of your theory. Before, therefore, I can persuade myself of

correctness of your views, I must be convinced by something more than your bare assertion that our religion sanctions of our widows taking another husband after the decease of their first one.

I have, with this view, applied to several Shastrees, and referred to the well known authorities on Hindu Law and Customs, such as Steel, Colebrooke, Macnaghten, &c., and I find that second marriages, after the death of the husband first espoused, are wholly unknown to the Hindu Law, and the practice is only confined to inferior castes.

There is not a single instance of such a marriage having ever taken place amongst the Brahmins or Kshatriás, either in the present or past Ugá, and I shall thank you to point out one single instance out of the variety of instances you allege to exist.

If you consult Parashur, more carefully, and impartially, you will find that the passage relied upon by you as conveying sanction for the remarriage of females, under certain circumstances, is confined to the lower castes only: nor is Parashur, as you assume, the incontestable authority in the solution of this question in the Kalliuga. Minoo was no less a jurist than Parashur and is by no means a less authority on the question. He clearly dictates, that the second marriage of a wife or widow, though anciently allowed in case of a brother dying childless, and in some others, is prohibited to twice-born castes at least in the present Kalliuga, and that the marriage of a widow is nowhere mentioned in the nuptial texts of the Vedas, nor is the marriage of a widow even named in the Law concerning marriage. .
 In Kalliuga Viás is universally acknowledged to be our authority on Law and Religion, and he has ex-

pressly prohibited such remarriages or Pats for the higher castes of the Hindus, of which we are one.

What the leading members of the Hindu community of Bengal did in this matter is no authority to us; nor does the Act passed by the Government of India in 1856 remove the prohibition of our Shástrás. Your logic, therefore, on this point is not at all conclusive. We must abide by the dictum of our Shástrás so long as we adhere to and observe our caste distinctions. The learned Shástrees could alone interpret and expound the meaning of the Shástra. If in the opinion of the learned Shástrees of Bengal and Benares the system of female remarriages had appeared conformable to our Dhúrm, and the tenets and usages of our caste, I have no doubt it would have been gladly followed by all the higher castes of the Hindus; but as the case at present stands, those who have introduced the system form the exception, and a most insignificant part of the high caste Hindu community of India.

I share the desire of introducing the practice of female remarriage amongst our class, quite as fervently as you do, and pity the unfortunate widows who have to lead a life of misery and seclusion, from the very bottom of my heart, but I am sorry I cannot admit the course you intend to pursue as legal, and warranted by our Law.

Your so-called Association is not competent, and has no authority, to interpret and amend our Law, or introduce any changes in the system of our caste, without the consent of our preceptors—the Shastrees. Any resolution, therefore, to which you may arrive at, without such consent, will not be valid and recognizable, and the couple who may join their hands together,

under your auspices, and with your permission, could only be looked upon by the caste as living in an improved form of adultery. Suppose a widow, having a son, takes a second husband, what becomes of the Gotra of her former husband? Is her first son to regard her as his mother or not; and in the performance of her funeral obsequies and Shrādh, how are the parties to act? Will your Association undertake, and is it at liberty, to determine this and several like difficult questions that will naturally spring out of the female remarriage system, and will the Act of the Government of India of 1856, quoted by you, help us there?

The English Law may legitimize the issue of such remarriage as you advocate, but the caste will not. You might then form yourself into another caste, and turn out Christians or Mahomedans, for aught your original caste people care. You require no permission for seceding from your caste and creed! I submit this is no reform. I am afraid the Association will not succeed in achieving the grand end it has in view, by any deed or agreement of the kind you speak of. If you expect people to join you, after full conviction, that what you are going to do, is really good and lawful, why, in the name of goodness, fetter them with penalty of Rs. 5,000, and thereby coerce them from the exercise of their free judgment.† In my humble opinion, therefore, you stand on false ground.

* Mr. Narayan's friends had better ask their preceptors the primitive signification of Gotra, as also what position a boy, adopted by another family, occupies in relation to his natural mother.

† Mr. Narayan, in the warmth of his arguments, totally forgets that all this is fully explained in the Circular of the Association.

Thus, after having examined your standing, I now come to examine your *modus operandi*, and on going over your programme once more, I am inclined to think that the way in which your Association purpose to meet the evil (which, for obvious causes, smarts you so much) is most impracticable, because so hasty and inconsiderate. Your Association seems to have forgotten the old adage that "Rome was not built in one day." To ensure success, you must proceed by degrees, and have the co-operation of the females. Are your females agreeable to the measure you are advocating? Have you studied their sentiments, and are you sure of subjugating them to your will? I know in your own case (as you have yourself proclaimed it to the world) you have signally failed in bringing about your family to your side.* And it is my impression, that every man, who, either through conviction, or on your compulsion, and in order to please you, joins you in your rash project, must first be prepared to bring discord and disaffection near his own fire-side, and embitter his own cup of domestic felicity and joy. Because, illiterate and biggotted (*Sic*) as the majority of our females are, is it wondrous to suppose that they will look upon the measure as a most heinous, sinful, and degrading one, and oppose it *en masse*? I have no doubt, the widows themselves are averse to it, and view your proceedings with much disgust. The better course I think for your Association to pursue would be, to leave this remarriage question alone for the present, (since it is also your opinion that no widow is virtuous!) and apply yourself to practicable subjects of reform, such as the

* This is a falsehood.

prevention of early marriages and the head shaving practice.†

Our Shástrás fix the age of marriage for a girl from 8 to 12 years, and for a boy from 16 to 20 years, and in case of a girl remaining unmarried, beyond the age of puberty, enjoins certain Práyáschit. We need no permission of the Shastrees, therefore, to wed our girls after the age of 12 years. In like manner, the barbarous practice of shaving the heads of women, who lose their husbands, might at once be put a stop to by the general consent of our community. ‡

These changes could be very easily introduced by the unanimous consent and approbation of our castemen, without incurring the slightest infringement of our Law, and that such consent would be heartily given. there is no reason to fear. I think this will be a real improvement, and a good improvement too, to begin with; because it will spare many an infant the widow's fate, and the want of the custom of re-marriage will be less felt as a necessity.

I recommend this course for the serious consideration of your Association, and beg you will lay my letter before them.

† Not only preventions of early marriages, but many more reforms are contemplated by the Association.

‡ It is a pity that Mr. Narayan could not see in the books, which he says he has consulted, that head shaving is strictly enjoined by his Brahmin preceptors.

APPENDIX C.

Letters from the Peishwa.

THE PARBHOO CASTE, ITS ORIGIN AND CUSTOMS.

(Invocation to Gunputty.)

The Brahmans, who are the very image of the Vedas, the Priests and Astrologers, being clothed with authority in matters of religion, and possessed of knowledge, power, and riches, residing in the district of Chowl:—

I, Balajee Bajeerao, minister, and your humble servant, being well and prosperous, send greeting, and hope soon to hear of your welfare.

You wrote saying that one Kessowjee Damajee, a Pattanay Parbhoo, residing at Chowl, having married a widow, had been put off caste by the Pattanay Parbhoo of Bassein, Salsette and Bombay; that the remarriage of widows, is among the Pattanay Parbhoo, a long established custom, which they now seek to abandon, contrary to all authority:—that inasmuch as they declared Kessowjee to be out of caste because of his having married a widow, he went to Poona for the purpose of soliciting a Government order in favour, which he succeeded in obtaining; after which you sent him to Bassein with a letter, urging that as there is in that place a large community of Pattanay Parbhoo, who have observed the custom of the “Pat,” (marriage of widow) they should take the case of Kessowjee into consideration, and admit him to the privileges of caste; and that thus the marriage of widows would be practised as in former times.

Thereupon the above mentioned Kessowjee went to Bassein, and represented to the Honourable Shankrajee

Keshow that the remarriage of widows was a custom of long standing ; but that it had been discontinued within these last (40) forty years, through the influence of Dhakjee Parbhoo. A letter from Pootlajee Sobajee and other influential Parbhoo's of Chowl and Ravedunda was also sent to Bassein, acknowledging that the remarriage of widows was a long established custom of caste, and that Kessowjee, for marrying a widow, had for eight years past been excluded from caste according to the rule adopted by Dhakjee of Bassein. It was further recommended that the Pattanay Parbhoo's of Bassein should adhere to their authorised long established custom, and restore Kessowjee to caste.

It was in consequence agreed that, with a view to determine the origin of the Parbhoo caste, a meeting of the old residents of Bassein, possessed of hereditary estates, should be assembled. Accordingly all such landholders, including those invested with authority in matters of religion, the priests, the astrologers, the Senvees, the Palshay Brahmans, the Samveda Brahmans, the Panchkulshays, the Coppersmiths, the Goldsmiths, the Bhandaries, and all the old residents of whatever caste ; also the Pattanay Parbhoo's, such as Dadajee Junajee and Soonder Anunt, as well as distinguished members of the community residing in Bassein, Agashee Mahim and Sayums districts, being assembled together, it appeared to the satisfaction of all, from the oral and written testimony which was produced, that the Pattanay Parbhoo's were descended from Rajah Bim and his associates, the Rajpoots, by unlawful wives ; that the remarriage of widows, and the per-

formance of various ceremonies, observed by Shudras, were practices of long standing among them, but that about forty (40) years ago Dhakjee, the uncle of Dadajee Junajee, being a very rich Parbhoo, decided, with the approbation of the whole community, residing at Bassein, Salsette and Bombay, that the remarriage of widows should no longer be allowed, and that those ceremonies, which are performed only by the Shudras, should be given up. One reason for this was lest his son's widow, a very beautiful woman, should marry again, and thus go out of the family.

This act provided that the marriage of widows should no longer be allowed among the Pattanay Parbhooos, and that they should no longer practise the ceremonies prescribed for Shudras. The Palshay Brahmans, however, who had hitherto officiated as their priests, refused to teach them the Bramha-Gayatree, or to acknowledge them as descended from Puro Kshatriya families. Hence Gosavee Khedekur, Geeree Bhutt, Trimluck Bhutt, Wassoodew Bhutt, Bappoo Bhutt, Bhanow Oonsay, and Dampadhay Vispadky of Oorun, were incited by the Pattanay Parbhooos to become their priests, and these strangers, being induced by the promise of large rewards, taught them the Bramha-Gayatree, and the Rudra, and acknowledged their claims to Kshatriya origin. Thus it appeared that within these last forty (40) years the Pattanay Parbhooos had relinquished the custom of the Pat, and begun to practise unauthorized ceremonies. Subsequent to this, they requested the learned Joshi Wishwanath to prepare a work in Sanskrit, stating that they were descended from the kings of the Solar line, which he accordingly

did, describing them as descended from the last king of that line, named Ushwaptee, who dwelt at Pythun, and are called "Pattanay," in consequence of their descent from him. This work, which is a pure fiction, but prepared with much learning and skill, was produced before the tribunal. After considering this in connection with the statements of the old residents of the place, and consulting the eminently virtuous and learned Brahmans, such as Krushna Joshi Sungumeshwar, now of Sattara, Luxumon Bhutt, Shunker Joshi Golundker, &c., it was decided that Wishwanath Joshi, had prepared the aforesaid work on the genealogy of the Parbhoo, and that the priests from Oorun, and certain Brahmans from other places had, from corrupt motives, taught the Pattanay Parbhoo the rites and ceremonies which they were not authorized to perform. It was, therefore, ruled that they should not perform these any longer, but those prescribed for Shudras, which their ancestors had performed before them; that the officiating priests, when performing religious ceremonies, in the houses of the Parbhoo should make use only of the Mantras contained in the Purans, and the long established custom of the "Pat" should be continued. The decision was forthwith partly carried into effect, inasmuch as a dinner was perphared at the house of Babajee Hoobajee, where Kessowjee Damajee (who had been expelled from the caste) was allowed to dine with Dadajee Junajee, Soonder Anunt, and the whole of the Pattanay Parbhoo. Two other cases of expulsion from caste, similar to the above, have occurred. Babajee Parbhoo, a relative of Dhakjee, residing at Verar, and another Pattanay Parbhoo, residing at

Santwulee, both married widows, and the rule of Dhakjee Parbhoo was enforced against them. But these cases were enquired into, and a just decision was secured.

It is, therefore, requested that you will continue to perform the ceremonies, at the house of the Pattanay Parbhoo, from the time of marriage onwards to the funeral obsequies, in the same manner as prescribed for Shudras. In the district of Bassein, this decision has been enforced, and a copy of it, with the signatures of all the Pattanay Parbhoo's affixed thereto, has been retained by the Government. Another copy has been forwarded to Ramjee Mahadew, Soobhedar of Salsette, one to the Pattanays of that district, one to the Pattanays of Bombay, and one to the Pattanays of Chowli.

As to the Brahmans who performed the ceremonies in the houses of Pattanay Parbhoo's, they have been punished in accordance with the provisions of the Shastras. And not only have they been compelled to undergo the prescribed penances, but they also have signed an agreement that they will not again be guilty of similar offences. The Parbhoo's have also been obliged to subscribe a written statement to the effect that they will allow the marriage of widows, and that they will perform the Shudra rites as before; also that any one refusing to comply with this agreement shall be considered guilty of having committed sin at the holy city of Benares; also that he shall be liable to be punished by the Government, as well as to be expelled from caste. Thus there are three restrictions against their again doing what is improper. All this is written for your information. The leading members of the

Parbhoo community, as Dadajee Janajee and Soonder Anunt, have also written to the Pattanay Parbhoo of Chowl concerning the decision. A copy of this, as well as another letter from Bassein, has been sent to the Hon'ble Morajee Sindhay of Revdunda, and it is hoped that the Pattanay Parbhoo of that place will act up to the decision. Let these things be known to all. Forwarded on the 22nd of Rabucakhan Sursan Arba. What more can be written. Rudirodgari Savuntsun Sakey 1665 (corresponding with A. D. 1743.)

APPENDIX D.

CIRCULAR.

Extract of a Circular Letter addressed by Madhavrao Narayan Peishwa to the authorities of Revdunda, Guzerat, Bassein, Bellapure, Salsette, &c., dated 20th Rumzan Sursan Tisyn Myan Oulf (A. D. 1789).

"The Brahmins of Penn, Petta Sankse, in a body, have appeared before the Court to complain that the Parbhoo, instead of acting up to the settlement made in the times of His Highness the late Narayan Rao-saheb, in regard to the rites and observances to be performed by them, have forsaken their dutiful course, are conducting themselves improperly, by secretly observing the religious ceremonies belonging to the Brahmins; and to request that the Parbhoo should be warned and prohibited from doing so. On taking this into consideration, it appears that during the time of our respected parent, the late Raosaheb,* an enquiry was instituted, and articles of settlement were drawn,

* See Appendix C.

for the conduct of the Parbhooos, and in conformity thereto, they passed to Government a written agreement, of which the conditions are as follows :—

“We shall not offer any opposition to members of our caste who may, of their own accord, espouse second husbands.”



Appendix E.

मुंबईतील वर्तमानदीपिका आणि वृत्तसार.

तारीख १३ जून सन १८६३.

पाठारे परभूजातींत पुनर्विवाहाविषयी घाटाघाट.

आह्मांस लिहिण्यास परम आनंद होत आहे कीं, पाठारे परभूलोकांत पाठारे रिफार्म असोसिएशन या नांवाची एक सभा स्थापन झाली आहे. या सभेचा हेतु असा आहे कीं, आपल्या ज्ञातींतील लग्नकार्यासंबंधी जे वेडे वेडे खर्च होतात ते कमी करावे व ज्ञातींचे कल्याण होईल त्या तजविजी कराव्या. या कामास तरुण मुलें पुढें सरलीं आहेत; असें नाहीं; परंतु वयस्क शाहणे विद्वान व मोठमोठे हुद्दे चालविणारे लोक या सभेत आहेत. यावरून आह्मांस अशी आशा आहे कीं, कांहीं तरी या सभेपासून चांगलेंच निष्पन्न होईल. या मंडळीस व हिच्या स्तुत्य श्रमास जय मिळो, अशी आमची ईश्वरास प्रार्थना आहे. ही गोष्ट खरी आहे कीं, त्यांचे ज्ञातींतील वृद्ध लोक व त्यांच्या दावाखालीं असणारे बहुतेक तरुण लोक या मंडळींतील प्रत्येकास जितक्या अडचणी व जितका त्रास देववेल तितका देतील. परंतु त्यांस त्यांनीं दृढ शांति करून सांगोरे होऊन हटवावें. त्यांच्या छातीखालीं दबून जाऊं नये. चालरूप शत्रु मोठा बलाढ्य आहे व त्यानें आपला अंमल मोठा जबरदस्त बसविला आहे. त्याचा पराभव करण्यास आपणास जें विद्यानामक शस्त्र प्राप्त झालें आहे त्याचा उपयोग प्रत्येक विद्वानानें केलाच पाहिजे. नाहीं तर विद्या शिकून

तर्क वाढून फळ काय ? काय पोपट इत्यादि पक्षी थोडे शिकतात ! मान-वाचा हा धर्मच होय कीं, आपली ज्या गोष्टीविषयी खात्री झाली आहे ती गोष्ट सिद्धीस नेण्याकरितां झटावें.

या रिफार्म असोसिएशनानें पुनर्विवाह प्रकरण मनावर घेतलें आहे. एक इंग्रजी व एक मराठी अशीं दोन सरक्युलरें या मंडळीनें परभू ज्ञातींत वांटलीं आहेत. त्यांची इंग्रजी प्रत सोमवारचे टैम्स पत्रांत प्रसिद्ध झाली आहे व मराठी प्रत त्याच दिवसच्या पुणें येथील ज्ञानप्रकाश-पत्रांत प्रसिद्ध झाली आहे. ज्ञानप्रकाशपत्रकर्ते लिहितात कीं, ती प्रत त्यांस रावबहादूर मोरोबा काऱ्होबा, जे या रिफार्म असोसिएशनाने चिटणीस आहेत, त्याणीं पाठविली व एका मुंबईतील पत्रावरून समजतें कीं, या मंडळीनें एक पुस्तक काढलें आहे. या रिफार्म असोसिएशनानें जे जे दस्तावेज छापून प्रसिद्ध केले आहेत ते ते जर आह्मांस कोणी मित्र पाठविली तर आह्मी त्यांचे आभारी होऊं. प्रत्येक ज्ञातींत विधवांची संख्या फार वाढत चालली आहे. कित्येक विधवा तर अगदीं बाळवि-धवा झालेल्या आहेत. त्यांनीं पतीचें सुख लणजे काय हें पाहिलें देखील नाहीं. स्त्रियांस वैधव्य प्राप्त होणें हें दुःख लहान आहे असें नाहीं. नवऱ्याबरोबर ती मरण पावली असती तर तिच्या आईबापांस तितका वेळ कायतें दुःख झालें असतें व कांहीं काळानंतर तें दुःख विसरतें. परंतु विधवा कन्या घरांत केवळ अगोच्या कोलितप्रमाणें आहे, ही गोष्ट ज्यांच्या घरांत विधवा कन्या आहेत त्यांस विचारावी. एकादा सोटभैरवास याचें दुःख काय ठाऊक ? जो संसारांत विलकुल नाहीं, ज्यास दोन वेळ जेवावें, मध्यंतरीं कांहीं आपल्या चैनीप्रमाणें काम करावें व रात्री उशाखालीं हात घेऊन निजावें, बायको नाहीं, पोरें नाहींत, संसाराचें दुःख किंवा सुख कांहीं नाहीं, त्यास मुलींच्या वैधव्य-दुःखाविषयी कशाची माहिती असणार ! ज्याच्या घरांत विधवा कन्या म्हणजे जळतें कोलीत आहे त्याच्या घरीं कांहीं कार्य आलें म्हणजे

दुसऱ्या सर्व स्त्रियांनीं शृंगारावें व त्यांच्या मुलींनीं एका कोपऱ्यांत दडून बसून भुळू भुळू रडत असावें. तें पाहून तिच्या आईबापांचें शरीर जळून जातें. व समारंभाचा मोठा आनंद वाटावा तों त्यांच्या डोळ्यांतून अश्रुपात चालतात. हिंदु लोकांत ज्या जातींत पुनर्विवाहाची चाल नाही, त्या जातींत पूर्ववर्षींच वैधव्य प्राप्त झालेल्या स्त्रिया पुष्कळ सांपडतील. त्यांची वर्तणूक पाहिली तर मोठी दुःखास्पद आहे. एकादी विचारी परमेश्वरास भिऊन पापकर्म आचरली नसली तर नसो. परंतु बहुतेक कामाचे स्वाधीन होऊन निर्भिडपणानें परपुरुष शोधूं लागतात; पोटे फुगवितात; बालहत्या करितात. अमकीनें अमुक पोरे पाडलीं, अशी ध्वनी नित्यशः ऐकूं येते. पुरुषापेक्षां स्त्रियांस आठपट जास्ती काम आहे, असें शास्त्रांतरीं लिहिलें आहे. पुरुषांस स्त्रियांवांचून राहवत नाही, असा साधारण नियम आहे. तर तारुण्यांत आलेल्या विधवा, ज्यांस पुरुषापेक्षां आठपट काम, त्या पुरुषसंगावांचून राहतील, ही कल्पना करणेंच व्यर्थ. या बाई ज्यावेळीं बदकर्मास प्रवृत्त होतात, तेव्हां त्यांचे आईबापांचे, सासूसासऱ्यांचे व सर्व ज्ञातीचे नाकास चुना लागतो. त्या बदकर्मापासून बालहत्येसारिखें महत् पातक घडतें व कधीं कधीं पोटा पाडण्याचें औषध म्हणजे पोर पाडण्याचें औषध काळजांत भेदलें तर ती मरण पावते. इतके प्रकार आमचे ब्रयातीत लोकांस गोड वाटतात. परंतु विधवांस पुनर्विवाह करूं द्यावा असें बोललें तर असें बोलणाराची जिह्वा छेदून टाकावी, असें त्या वृद्ध मानवांस वाटून शिव्या गाळी करितात व पुनर्विवाह करण्याची चाल आमच्यांत नाही किंवा नव्हती असें म्हणून पुढेही ती चाल प्रवृत्तीस न यावी, असा आग्रह करतात. हिंदु लोकांच्या कित्येक जातींत पुनर्विवाह आहे, त्यांपैकीं कांहीं जाती त पुनर्विवाह बंद करावा अशी घाटाघाट बहुत वर्षांपासून चालली आहे. त्याचें कारण इतकेंच कीं, त्या लोकांस असें वाटतें कीं, पु-

नर्विवाह बंद केल्याने आपण उंच वर्णाचे ठरूं. परंतु एकादे चाळीस पन्नास वर्षांचे पुरुषाची वायको मरूं वा, तिला वर्ष पुरें झालें नाहीं तोंच ह्मणजे वर्षाचे आंतच एकादी अकरा बारा वर्षांची रूपवती कन्या शोधून काढितो व शेर शेर दोन दोन शेर दूध पिऊन आपणास शक्ति आणून तिला आवडता होण्यास झटतो. स्त्रियांचा पुनर्विवाह करण्यास शास्त्राधार नाहीं, ती. स्त्री पूज्य होत नाहीं, असें वृद्ध लोक ह्मणतात; त्यास पुरुषांने पुनर्विवाह करावाच, तो पुरुष पूज्य आहे, असें कोणत्या ऋषींचे मत कोणत्या शास्त्रांत आहे हें जाणण्यास आह्मी फार उत्सुक आहों. अस्तु, या विषयावर प्रस्तुतचे “यः कश्चित् लोकांनीं” पुष्कळ ग्रंथ रचले आहेत. आह्मीही “यः कश्चित्” यांनीं पुष्कळ वेळां विस्तारें लिहिलें आहे यास्तव प्रस्तुत पाल्हाळ करण्याची जरूर नाहीं.

पुनर्विवाहाची चाल चालू होण्यास व लोकांचीं मनं त्याकडे आकर्षण करण्यास आपण झटूं नये; कारण आपण यः कश्चित् आहों असें वर्तमानपत्रांत एका पत्रकर्त्याशिवाय दुसरा कोणी ह्मणेल असें आह्मांस वाटत नाहीं. सर्वत्रच पत्र प्रस्तुतचे तरुण विद्वान् लोकांचे तर्फे असलीं तर वृद्ध लोकांची दशा कशी वर्णिली जाईल ? यास्तव एका वर्तमानपत्रांने त्यांस मदत करण्याचा विचार केला आहे, हें आह्मांस वाईट वाटत नाहीं. वृद्धांचे विचार कसे आहेत, त्यांचा समज काय आहे, त्यांची बुद्धि कितपत आहे हें आह्मांस या पत्रापार्फत समजत जाईल.

या वृद्ध लोकांच्या समाजास रामभट सांडगे, विठी हजामीचें लुगडें धुवूं लागले तेव्हां शास्त्रीय विषयाकडे सोरावजी रस्तमजी व मिस्तर मालकंसन यांनीं लक्ष दिल्यास काय नवल ? शास्त्रीय किंवा नीतिपर विषय ब्राह्मणांनींच शिकवावा असें जरी कबूल कोलें तरी प्रस्तुत संध्येतील चोवीस नांवे बरोबर येणारे ब्राह्मण दिवसानुदिवस कमी होते चालले. ब्राह्मणांची अशी दशा झाली असतां आह्मी सर्वांनीं निमुटपर्णे बसावें. कोणी पाराशर, वाल्मीक, वासिष्ठ किंवा काश्यप उत्पन्न होईल

तेव्हा आमच्या दुःखाचें निवारण होणार !!! आज कांहीं प्रसंग आल्यास पुरातन शास्त्रासंबंधी माहिती पाहिजे झाल्यास प्रोफेसर हौग किंवा डाक्टर विलसन जी माहिती देतील ती बहुतेक शास्त्रांच्यानैही देवणार नाही. वेदाचें भाषांतर तर म्याक्स म्युलर विलायतेंत करतात, श्रुतीचा अर्थ समजणें हणजे पलांडु भक्षण करणारे शास्त्रीवावांस आलीकडे मोठें जड जातें. जर्मनी देशातील लोक तर केवळ संस्कृत ग्रंथ पठन करण्यांत गुंतले आहेत. तर “ब्रह्म जानातीति ब्राह्मणः” या नियमानें त्यांस ब्राह्मण हणणें प्राप्त होईल व ब्राह्मणकुलांत जन्मलेल्यांस काय हणावें त्याचा विचार आमच्या वाचणारांनीं करावा. अस्तु, आतां मोरोबा कान्होबा हे यः कश्चित् व भाऊदाजी हे यः कश्चित्; कारण त्यांचें मत सर्वमान्य होत नाही. ऋषि मात्र मोठे, कारण त्यांचें पुष्टीकरण करणारें पत्र असें हणतें कीं, मोरोबा कान्होबांनीं अमुक चाल महकूब करण्याविषयीं बुकें काढिलीं. हरशेट गोपीनाथजी यांनीं स्त्रीपुरुषांशीं प्रीति कशी असावी या विषयीं ग्रंथ काढले. आज काय राजश्री भाऊदाजी व मंगळदास नथुभाई यांनीं मुलींचे शिक्षणकरितां अमुक रीतीनें अनुमोदन देऊन विजातीय कल्पना काढली. उद्यां काय सोराबजी रस्तमजी यांनीं ब्राम्हणाचे गळ्यांत जानवीं कशीं असावीं याविषयीं निबंध केले. आज काय मासळी ब्राम्हणानें कां खाऊं नये व मुद्दाम ब्राम्हणानें कां पिऊं नये, याविषयीं मालकमसन यानें तद्दोषशमनार्थ निबंध केला. उद्यां काय हिंदूनें आपल्या बायकोशीं भाषण कसें करावें व केव्हां करावें याविषयीं नारायण गोपाळजी यांनीं निबंध केले. + + + भलत्याच गोष्टीकडे, तर्क धांवत चालले आहेत. हे तर्क व्यर्थ होत. कारण हे ब्राह्मण नव्हत इतकेंच नाही; परंतु हे शास्त्रकर्ते किंवा पुराणकर्ते ऋषि नाहीत. रामचंद्रशास्त्री दशरूपने पुत्रे द्वादशपुत्रीस लावण्या शिकविण्यास गुंतले, सोमशास्त्री काळे देवी उपासना निमित्त बरांडीच्या बाटल्या रिकाम्या करूं लागले. कोम.

शास्त्री ढवळे एका श्रीमान् गृहस्थावरोबर जाऊन लक्ष्मी नायकिणी-
कडून श्रीमुखांत खाऊं लागले. हरभट पापडे कृष्णा बोडकीचे घरी
स्वयंपाक करूं लागले. मत सर्वमान्य आहे असें जें त्या पत्राचें म्हण-
णें तें देखील सबळ आहे असें दिसत नाहीं. कारण राम म्हणजे जो
ईश्वरी अवतार त्यानें भिल्लीणीचीं उष्टीं बेरें खाळीं म्हणून त्यावेळचे
रामभटजी, कृष्णभटजी, वामनभटजी यांनीं त्यांस वाळीत टाकिलें.
ऋषींचें मत सर्वमान्य असतें तर सर्व ऋषींचें मत एकसारखें असतें;
परंतु हजारों ऋषींचीं हजारों मते आहेत. असा गप्पा घोळ असतां
प्रस्तुतचे विद्वान् लोकांस वृद्धलोक आडवे येतात झणून त्यांनीं स्तुत्य
कृत्यास झटूं नये असें म्हणणें व्यर्थ होय. जितके प्रकार संसारांत चा-
लू आहेत, तितके सर्व शास्त्राधारानें चालतात असें नाहीं. सर्व चाली
पडल्या आहेत. व जसा १०० वर्षांपेक्षां आजचे चालीत फेरफार
आहे तशीच विद्वान् लोकांनीं पुस्तकें काढलीं व सुमार्गानें वर्तणूक केली,
झणजे दुसरे किता घेत जाऊन ५० किंवा १०० वर्षांनीं सुधारणा बरी-
च होईल. आज इतकाच आनंद मानावा कीं, तें पत्र मोरोबा कान्होबा-
चे विचार बरोबर आहेत असें झणतें.

Appendix F.

अहमद नगर येथील वृत्तवैभव.

रविवार तारीख १४ जून सन १८६३ इ.

पुनर्विवाह.

ज्या विषयांवर शेंकडों वेळां शेंकडों विद्वानांनीं लिहिलें तेच विषय
घेऊन लिहिल्यास चर्वितचर्वणाचा दोष येईल अशा भयानें न लि-
हितां स्वस्थ बसूनही उपयोग नाहीं, आपलें कर्तव्य आपणास केलें

पाहिजे. - व ज्या कार्याची गरज फार आहे त्याकारितां विशेषींती झाल्यास तो दोष फलार्थी जनानें मानूं नये. तसेंच जे विषय गोड व आवश्यक आहेत ते नित्य संघट्टनांतील झाले तरी त्रासदायक नव्हेत. अन्न आपणें नित्य सेवन करितों ह्मणून त्याविषयीं आपणास अरुचि किंवा अनास्था होत नाही. तोच प्रकार प्रस्तुत आपल्या हिंदुस्थानांत सदरील विषयाविषयीं व दुसऱ्या कित्येक गोष्टींविषयीं आहे ह्मणून त्याचें विवेचन वारंवार केलेंच पाहिजे.

इंग्लिश सरकारानें पुनर्विवाहसंबंधाचें स्वामित्व व हक्क कसकसे रक्षिले जातील याविषयीं जो एक कायदा केला आहे त्यांत प्रथम वरापासून मुलें झालीं असलेल्या पुनर्विवाहित स्त्रियांचाही निर्बंध केला आहे. ती मोकळीक फारच असून लांबची आहे ह्मणून आजच तेवढ्या गोष्टीविषयीं ब्रह्मवृंदास बोध केल्यास ते डोळे वटारून बागूलबावा होतील ह्मणून फक्त शास्त्रविहित लहान लहान मुली व शास्त्रानें आणि दैवानें वगळून टाकिलेल्या विचाऱ्या तरुण स्त्रिया ज्यांस यौवनसुखाचा विपुल लाभ मिळाला नाही व पुढें सुखानें निर्वाह होण्याची आशा धरावयास संतति झाली नाही, यामुळें ज्यांपैकीं कित्येक फार दुःख भोगीत आहेत व कित्येक गुप्तरूपें सदोष कर्मे करीत असून सांदीस पडल्या आहेत तशांवरच दया करण्याविषयीं स्वज्ञातिबंधूंंस विनवून पाहूं.

या जगांत, पुरुषास सुख देणारी व अर्धभागिनी सखी स्त्री होय. तसाच स्त्रीस सुखदाता व अद्भुत प्रीतिकर्ता सखा तिचा पति होय. प्रत्येक कुटुंबांत स्त्रिया व पुरुष आहेतच व त्यांतून बहुतेकांचे घरी एकादुसऱ्या बाईवर किंवा मुलीवर पतिनिधनाची धाड येऊन पडलेली असतेच व तें केलून त्यांना जें दुःख असतें, त्यांचें जें स्वातंत्र्य नष्ट झालें असतें व त्यांस जी व्यर्थता आली, असते त्यांविषयीं पूर्णतें विचार केलें असतां पाषाणवृद्धी मनुष्याचेंही अंतःकरण द्रवून त्यास दयेचा लोट येईल यांत संशय नाही. तर मित्रहो, अशा महत्संकटाचा परिहार कर-

प्यास सन्मार्ग असतां आग्रहानें आडमार्गे जाऊन निरर्थक दुःखवृद्धि कां-
करून घेतां? खरेंच पहा, हें तुमचें कृत्य पारदेशीय लोक पाहून तुझांस
फार नावें ठेवितात व सुधारणेच्या शिखरावर चढून जाण्यास इच्छीत
असून असा सर्वोत्कृष्ट ठेका हातचा तुझी सोडतां तर पुढें कसें होईल
ह्याविषयीं फार काळजी बाळगितात.

बरें, मित्रहो, तुझी कोणत्या हेतूनें दुर्दैवी लहान विधवा स्त्रियांचे
पुनर्विवाह करीत नाहीं? त्यांस सुख न लागावें व त्यांचें कल्याण न-
सावें असें तुझांस वाटतें काय? नाहीं, असें वाटत नसेल. कारण तुझी
आपल्या दारीं एकादा सुरेख हरिण किंवा बोलका पोपट पाळला तर त्या-
वरही पुष्कळ ममता करतां व त्यास सुख देतां. आणि असें जर आहे तर
तुमच्या पोटाच्या मुली किंवा तुमच्या पोटाच्या गोळ्याच्या दहनानें करपून
गेलेल्या सुना दुःखानें जन्मवर गांजत जाव्या व विरूप राहव्या असें
तुझांस वाटत असेल ह्मणून कसें ह्मणावें? तर तुझी त्यांस मनापासून
सुख इच्छितां हें खरें आहे, व याकरितांच तुझी त्यांचे लग्नसमयीं
सुरथळ मिळण्यास पुष्कळ प्रयत्न केलेत व पुष्कळ खर्चही केलात.
आतां कालवशेंकरून त्यांचे पति मरण पावले. ती आयुष्यमर्यादेची
गोष्ट ह्मणून निरुपाय आहे. पण त्यांच्या मार्गे जिवंत राहिल्या प्रा-
ण्याची गोष्ट तशी नाही. त्यांस प्राप्त असलेला मनुष्यजन्म जगाचे
राहाटीप्रमाणें घालविला पाहिजे ह्मणून मनुष्यास प्रतिकूल काळ प्राप्त
झाला असतां तो अनुकूल करण्याविषयीं जसे त्याचे प्रयत्न असतात
तसेच या विधवा स्त्रियांविषयीं प्रयत्न करून त्यांची कुदशा घालविली
पाहिजे. आपण मत्ताप्रमाणें धोतरजोडा घेतला व तो पुष्कळ दिवस
टिकेल आणि चांगला निघेल अशी आशा केली; परंतु त्यास एकवेळ
मोठा धंस लागून तो फाटला व कामांतून गेला तर त्यासाठीं आपण
इळहळूं खरें; पण दुसरा धोतरजोडा घेतल्यावांचून एक दिवस तरीं
राहूं काय? नाहीं लागलाच दुसरा फडकावूं. अशीच तुमच्या सजीव

जोड्याचीही गोष्ट आहे. आणि विचारल्या बायकांवरच जोडप्यावांचून वर्षांचीं वर्षे घालविण्याची कठोर निर्दयता अज्ञानाच्या व सारासार विचारशून्यत्वाच्या योगाने तुम्ही कां करितां? बापहो, बुद्धी मनुष्य तशाच त्या मनुष्य, तुम्हांस आपला जीव प्यास तसाच त्यांस व तुम्हांस देखील त्यांचा प्यारा. तुम्ही कोमल सुकुमार तर, तुम्हांपेक्षांही त्या अधिक कोमळ व अधिक सुकुमार आहेत. विद्या व ज्ञान प्राप्त करून घेण्याचीं बहुत प्रकारचीं साधनें हीं तुम्हांत व त्यांत अगदीं एकसारखीं आहेत. असें असतां तुम्हीं श्रेष्ठ व त्या कनिष्ठ कां? तुम्ही धनी व त्या तुमच्या दासी अशा वेडगळ मापाने त्यांस तुम्ही कां मोजितां? चांगला विचार करून पाहिलें तर असें दिसेल कीं, सदरीलप्रमाणें करण्यांत आपण फार चूक करितों. ईश्वराचे कर्तृत्वावरून असें करणें सयुक्तिक ठरणार नाही व शास्त्रांतही असें कारवेंसें निघणार नाही. तर बाकीचीं कृत्ये असोत, पण पुनर्विवाहाची चाल जी फक्त यत्किंचित् अपवादनेच आज कित्येक वर्षे बाजूस पडली तिचा लवकर पुनरुदय करा. बराच काल मध्यंतरीं गेल्यानें आतां पुनर्विवाह न करण्याची रूढी बनून जिची मुळी जबरदस्त झाली आहे, तिचा शास्त्रशास्त्रानेंच छेद करून त्याठायीं पुनर्विवाहाचें बीजारोपण पुनः करा. फार दिवस पडित राहिलेल्या जमिनींत या अनुपम सुखोत्पादक वृक्षाची योजना होतांच त्यांस अमृतरसोपम मधुर फळें तात्काळ येऊन तीं नित्य मिळतील, तर मित्रहो, त्वरा करा, त्वरा करा. तुम्ही जों जों अवधी लावितां तों तों या कर्माचें यश पराङ्मुख होस्तातें खालच्या पिढीकडे जात आहे. तर राजरोस कामांत धडधडीत हात न घालितां, विनाकारण सदोषहोस्तात तुम्ही या अपयशाचें शृंग माथां कां शोभवूं पाहतां ?

हल्लीं आपले देशांतील लोकांमध्ये बहुधा दुफळी झाली आहे. ह्मणजे लोकांचा वर्तनक्रम व मते दोन प्रकारचीं झालीं आहेत. १ जुन्या चालीचे लोक; व २ आलीकडील विद्वान लोक. पहिले प्रतीत वृ-

इ भिक्षुक व शास्त्रपुराणांवर तंतोतंत भरवसा ठेवणारे इतर लोक हे येतात. यांच्या मते देशकालपरत्वे शास्त्रांची कांहीं सयुक्तिक व्यवस्था केल्यास ती सदोष होय. व या करितांच ते तरुण विद्वानांस सुधारलेले म्हणजे आचारद्वष्ट झालेले असें म्हणतात, ही सम-
जत त्यांच्या विचाराप्रमाणें त्यांस ठीकच आहे. परंतु आलीकडील लोकांचे विचार त्यांच्या सारखे एकतरफी नाहींत यांच्यांत व्यावहारिक व उपयुक्त विद्या आणि योग्यायोग्यविवेचनज्ञान यांचा भरणा अधिक आहे. व शास्त्र म्हणजे कायद्यासारखे बंधारणलेख आणि पुराणें म्हणजे इतिहास आहेत असें त्यांस समजतें. कायद्यानें एक वेळ लावून दिलेली व्यवस्था शेंकडों वर्षे कधीं सुरळीत चालणार नाहीं. व तशी चालविण्यांत सारासारज्ञत्व नाहीं म्हणून त्यांस युक्तीच्या फेरवदल्यांची आवश्यकताच आहे. अस्तु, आजची आमची पुनर्विवाहाची गोष्ट शास्त्र, पुराण व धर्म यांच्या संबंधांतीलच आहे झणून तींकरितां जुन्याचालीच्या लोकांशींही आह्मांस थोडें बोल-
लें पाहिजे.

अहो वेदशास्त्रपुराणेंसे जनहो, तुह्मांस व नुसत्या धर्मश्रद्धालु-
नांस पुनर्विवाहाविषयीं कसें वाटतें ! विधवा स्त्रिया मनुष्यासारखीं मनुष्ये असून व त्या तुमच्या घरच्या असून त्यांचे हाल व्हावे हें चांगलें नाहीं असें तुम्हीं म्हणत असालच, व शास्त्रांत पुनर्विवाहास मो-
कळीक आहे हें तुम्हास ठाऊक आहेच. तेव्हां तो होण्यास हरकत मिळून रुढीची आहे. बरें तुम्हांसारख्या शास्त्रज्ञांनीं विधवा स्त्रियांचे असद्य विलाप कर्णावर न घेऊन रुढीची मातबरी अधिक मानावी हें बरें काय ! नाहीं, बरें नाहीं. असो अशा गोष्टी मनावर न घेतल्यांत बराच काळ गेला तो जावो. पण आतां वर्ष देखील जाऊं देऊं नका. त्यांत मजा नाहीं. घरीं चालत आलेलें यश त्वरित स्वीकारून ममताळूपणानें विधवा स्त्रियांस सुखी करा. आतांचे काळांत पुष्क.

ळ कमें शास्त्रवाद्य होतात. व कोठें कोठें शास्त्राचे दिक्प्रदर्शनानें युक्तिदृष्ट्या कमें घडताहेत. आणि या पुनर्विवाहास तर शास्त्रही अनुकूल आहे मग आळस व दैन्य कां ? पुरुषांबरोबर स्त्रीनें सती जाणें शास्त्रविहित होतें. पण ही चाल अघोर पाहून इंग्रज सरकारानें एकदम बंद केली तो नियम तुम्ही मानीत असाल.

सकेशां विधवां दृष्ट्वा सचैलं स्नानमाचरेत् ॥

असें शास्त्रवचन असून नित्यशः सहस्रावाधि सकेशा विधवा-स्त्रिया तुमच्या दृष्टीपुढें येत असतील. म्लेंछस्पर्श तुम्हास नित्य होत असतील. महारांच्या सावल्या तुम्हांवर पुष्कळ पडत असतील हे सर्व दोष तुम्हीं सोसतां आणि पुनर्विवाहाच्या निर्दोषी कृत्यास कांकू करतां हा मुदलांतच मोठा दोष नव्हे काय ? नीति ह्मणा, अगर युक्ति ह्मणा अशी 'आहे कीं, सर्व राष्ट्रांचे हितासाठीं चांगली गोष्ट करण्यास शास्त्रानें कांहीं सांगितलें नसलें किंवा शास्त्रावर जरा दुर्लक्ष झालें तरी चिंता नाही. परोपकारार्थ व सर्वत्र सुखार्थ तसें करावें. पहा स-मुश्रोळंघन करून द्वीपांतरीं जाणें शास्त्रनिषिद्ध होतें; परंतु त्यापासून उत्तम फल आहे ह्मणून ती चाल आपण सुरू केली, आगगाडींत बसून शेकडों कोस जावें किंवा नाहीं याविषयीं आपले शास्त्रांत कांहींच नाही. तरी, तें जाणें अत्यंत सुखावह आहे ह्मणून आपण लागलेंच स्वीकारलें. अशाच कित्येक गोष्टी शास्त्रयुक्तीस मिळवून घेण्यायोग्य आहेत. पुनर्विवाहाचे काहीं तर शास्त्र अनुकूल आहे, तेव्हां इतकेंच पहावयाचें कीं, विधवा स्त्रियांच्या दुःखाचा परिहार करणें ही मोठी गोष्ट आहे कीं नाहीं व तीपासून देशास फायदा आहे कीं नाहीं ? तर तात्काळ सर्व सांगतील कीं, असें करण्यांत सर्वोपरि फायदा आहे ह्मणून हें कृत्य तुम्ही लवकर मनावर घ्याल तर आलीकडील तरुण विद्वान् थोडक्याच कालांत तुमची परवा न बाळगतां या शुभकृत्याचा

आरंभ करतील, मग तुझास कसे वाटेल ? बंगाल इलाख्यांत कलकत्त्याकडे आलीकडल्या थोडक्या वर्षांत ५५०० पुनर्विवाह झाले आहेत व साल दरसाल गवे होत आहेत हे तुझांस माहित नाही काय ? आतां आह्मी स्वजातीय तरुण विद्वाभांस थोडी सूचना करून हे लांबत आलेले प्रकरण संपवितों. शास्त्रे ऋषि ह्यणजे ब्राह्मण यांनीं केलीं. तीं मानण्याचा मुख्य अधिकार ब्राह्मणांचा, ब्राह्मण सर्व जातींत श्रेष्ठ, चाकरीस ब्राह्मण, कर्मास ब्राह्मण, दानार्ह ब्राह्मण, तेव्हां ब्राह्मणांस अनुषंगून राहणारे शेणवी, परभू, सोनार वागत आले व त्या कालीं ब्राह्मणही इकडील सर्व जातीपेक्षां विद्येत वरच्या पायरीवर होते ह्यणून ब्राह्मण पुनर्विवाह करी नात, त्यांबरोबर इतर जातीच्यांनींही तो सोडिला हे मन्वंतर पेशावाई अखेर व इंग्लिश राज्याच्या अवलीस कांहीं वर्षेपर्यंत बरेच चालले आणि पुढे फरक पडला. ब्राह्मणांबरोबरच सर्व जातींच्या लोकांस इंग्लिश सरकारांतून विद्यादान मिळू लागले. तेव्हां त्यांची ग्राहकशक्ति, बुद्धि व परिश्रम अधिक तो वार्कीच्यापेक्षां शाहाणा व विद्वान् होऊ लागला. त्यांस जन्मापामून अश्रुत व अवाच्य असे ग्रंथ होते ते पहावयास व समजून घेण्यास योग्य असे मार्ग झाले व सर्व गोष्टींविषयीं विचार होऊन चांगले वाईट निवडण्याची सर्वांस मोकळीक मिळाली. तेव्हां सदोष गोष्टी व जुलमी प्रतिबंध लोकांच्या डोळ्यांत खुपू लागले. पुनर्विवाहादि कृत्ये चालू करण्याविषयीं त्यांनीं कंढरा बांधिल्या. आतां ब्राह्मण जर वास्तविक विद्येनें, बुद्धीनें व शहाणपणानें श्रेष्ठ असते तर इतरांपेक्षां ते आपली चूक आधीं समजून लागलीच दुरुस्त करते. पण तसें न होतां तेही रेंगळत पडले. तेव्हां जातिसंबंधाचा मोठेपणा तो काय राहिला ? आणखीं विद्या किंवा बुद्धि अमुक जातींत अधिक व अमुक जातींत कमी असें जे ह्यणणें आहे तें आग्रही मनुष्याखेरीज कोणीही विचारी कबूल करणार नाही असें आह्मांस वाटतें. असो, थोड्या वर्षांमागे पुण्यास शेणवी जातीमध्ये पुनर्विवाह झाला. बरे तोही किंचित्

गौणपक्षांतला झटला तर हल्लीं पाठारे परभू ज्ञातींतील थोर व स-
भ्य अशा ८ गृहस्थांनीं मनावर घेऊन स्वज्ञातीमध्ये पुनर्विवाह क-
रण्याविषयीं पत्रद्वारे सशास्त्र उपपत्ति दाखवून त्यास, उत्तेजन दिलें
आहे व त्यापासून फायदा होईल असें खात्रीनें वाटत आहे. त्याक-
रितां आह्मी राववहादूर मोरोबा कान्होबा प्रभृति त्या ८ गृहस्थांचे फार
उपकार मानितों. व आमच्या ब्राह्मणांपूर्वीच या कामांत त्यांनीं अ-
ग्रेसरपणा मिळविला याकरितां त्यांस चाहातों. आतां हे तरुण ब्राह्मणहो.
तुम्ही कंबर बांधणार ती केव्हां? सगळ्या गांवच्या मागून कीं काय?
तुम्हीही पुनर्विवाहाविषयीं पुष्कळ विचार केलेत, पुष्कळ निबंध लिहि-
लेत सभेमध्ये पुष्कळ व्याख्यानें दिलींत, वर्तमानपत्रांतून पुष्कळ वाचलें-
त. व विधवांचे दुःखप्रलाप ऐकून गहिवरलांत. परंतु सयुक्तिक व
फलप्रद परिणामाची कांही क्लृप्ती काढलीत काय? नाही. काढिलेली
कोठें दिसत नाही. तर आतां मनावर घ्या, ईर्ष्या वाळगा, मंडळी नेमा,
पत्रव्यवहार चालवा व हें सहेतुक कृत्य चांगलें परिपक्वतेस आलें झणजे
प्रसिद्ध रीतीनें पुढें व्हा. आणि यशस्वी जो तुमचा सव्यहस्त तो भ-
व्य कर्तव्यपूरित होत्साता नव्य स्त्रियांची वैधव्यदशा हव्यवाहास अर्पण
करून त्या विचाऱ्या भाग्यहीनांस योग्य सौभाग्यप्रद होण्याकरितां
त्यांच्या गोजिरवाण्या पण भणभणित अशा शुभ्र कपाळीं कुंकुमतिलक
लावण्यास लौकर. सिद्ध होवो, असें परमेश्वराजवळ सोत्कांठ मागा
झणजे तो लवकरच रूपा करील यांत संशय नाही.

आमचे प्रिय बंधु ज्ञानप्रकाशकर्ते याच विषयास हातीं घेतील तर
कधीं कधीं चांगली कड लावितील असें आह्मी त्यांच्या विद्वत्तेवरून व का-
ल्पनिकपणावरून निश्चांत सांगतों. याकरितां त्यांनीं व दुसरे इंदुप्रका-
श व वृत्तप्रकाश, वर्तमानदीपिका इत्यादि पत्रकारांनीं ही गोष्ट मनावर
ध्यावी अशी आमची त्यांस विनंती आहे.

Appendix G.

पुणे येथील वृत्तप्रकाशपत्र.

शनिवार तारीख २७ माहे जून १८६३.

ज्या सुधारणुकेचा संबंध धर्माशी, वृद्धाचाराशी अथवा देशाचाराशी आहे ती सिद्धीस नेणें हें एक दोन दिवसांचें अथवा दहा पांच लोकांच्या अनुकूलतेचें काम नव्हे. हें काम अत्यंत आस्थापूर्वक केलेल्या दीर्घ प्रयत्नाचें व बहुत लोकांच्या अनुकूलतेचें फल आहे. अशा कामास सामान्यतः असमंजस लोकांची प्रतिकूलता असल्यामुळे मोठ्या दुस्तर अडचणी येऊन पडतात. ह्या अचडणी कोणत्या प्रकारच्या व त्यांचें महत्त्व काय यांचा पुरतेपणीं विचार न करतां जे आरंभीं झूर अशा कामांत शिरतात ते निःसंशय आपला उपहास करून घेतात. सुधारणुकीच्या कामांत आजपर्यंत शेंकडों लोकांनीं शेंकडों वेळा यत्न केले; परंतु ते त्यांचे बहुत करून सिद्धीस गेले नाहींत याचें कारण काय हें पाहूं गेलें असतां असें दिसतें कीं, अपेक्षित किंवा अनपेक्षित येणाऱ्या ज्या अडचणी त्यांच्यांशीं समयोचित धारिष्ट करून वेधडक व निर्भयपणें सामना करून इष्ट मनोगत सिद्धीस नेण्यास अवश्य जो बुद्धीचा दृढ निश्चय व खंबीरपणा ती आपणांत आहे किंवा नाहीं याचा विचार न करितां बहुतेक लोक अशा महत्कृत्यास हात घालितात.

आपल्या लोकांत सुधारणेचा प्रसार व्हावा अशी अंतःकरणपूर्वक आस्था बाळगून तें काम करणारे लोक फार थोडे सांपडतील; परंतु आपल्यास स्वदेशाभिमान अथवा जगन्मित्र ह्मणावें अशी महत्त्वाकांक्षा घेऊन तें काम करणारे पुष्कळ लोक आढळतील.

स्वजातीय लोकांची स्थिति सुधारावी अशा हेतूनें पाठारे परभू लोकांतील कांहीं संभावित सुज्ञ गृहस्थांनीं मनावर धरिलें आहे हें पाहून आह्मांस संतोष वाटत आहे. विधवा स्त्रियांचीं दुःखें पाहून आस्था-

पुरःसर कळवळा बाळगणारे आणि तीं परिहार करण्याकरितां पाहिजे तीं संकटें व अडचणी सोसून साक्षिपें झटणारे असे प्रशस्त विचाराचे व योर बुद्धीचे कांहीं गृहस्थ पाठारे सुमार्गप्रवर्तक. सभेंत आहेत त्यांत ह्या सर्व गुणेंकरून संपन्न असे त्या मंडळीचे चिटणीस रा. रा. मोरोबा कानोबा आहेत हें पाहून तर आत्मांस विशेष संतोष वाटत आहे.

ह्या मंडळीचे मुख्य कटाक्ष विधवा स्त्रियांचीं दुःखें दूर करण्याकडे दिसतात. वैधव्यदशा ही स्त्रियांस मोठी दुःखान्वित व क्लेशापन्न आहे, त्यापेक्षा ज्यांस ती प्राप्त होते त्यांस सधवा करावें ह्मणजे त्यांचीं दुःखें निवारण होतील अशा समजुतीनें पुनर्विवाहाची पुनः स्थापना करून त्यास प्रवृत्तीत आणावें असा उद्देश या मंडळीनें प्रदर्शित केला आहे. हा त्यांचा हेतु सर्व विधवा स्त्रियांस अनुलक्षून आहे. असें ह्मणणें प्रशस्त नाही जिला मुलें आहेत, जी वृद्ध व जी पुनर्विवाह करण्याविषयीं अयोग्य अथवा अनुत्तुक आहे त्या विधवेचा पुनर्विवाह करावा असा त्यांचा हेतु दिसत नाही.

पुनर्विवाह करणें हें कित्येकांच्या मते आपल्या धर्मास विरुद्ध आहे. ही त्यांची समजूत अन्यथा आहे असें शास्त्रांतील अनेक वचनांवरून सिद्ध करतां येईल. पुनर्विवाह करणें युक्तीस, न्यायास व शास्त्रास अनुसरून आहे. हा विषय धर्मातील आहे, यास्तव या बाबदीत जे विचार करणें ते केवळ शास्त्राधार धरून करावे हा अतिप्रशस्त मार्ग आहे. शास्त्राधारें बहुमत पाहतां जी केवळ बालविधवा, जिचे कुमारत्व पुरुषज्ञानेंकरून नष्ट झालें नाही, जी विवाहवयस्क ती पुनर्विवाहास योग्य समजावी.

आपल्या लोकांत ज्या चाली आहेत त्या हितकारक अथवा अहितकारक याचा विचार न करितां त्यांचें केवळ अनुसरण करणें हें विचारी व समंजस पुरुषाचें काम नव्हे. सर्वच चाली हितकर अथवा अपकारक आहेत असें समजू नये. आपल्या कित्येक चाली

सुयुक्त व कित्येक अयुक्त आहेत. ज्या अयुक्त आहेत त्या मोडून टाकण्याविषयी जे पुरुष यत्न करतात ते परम परोपकारी समजावे. अयुक्त व अपकारक चालींची प्रवृत्ति कितीही वर्षांची असो, ती त्या कारणाने सयुक्तिक व उपकारक होणे नाही. जसे सुयुक्त तसे अयुक्त प्रचाराचे प्रतिपादनार्थही शास्त्राधार मिळू शकेल. आतां ज्या गोष्टीस शास्त्राधार आहे तिचा अंगीकार व अनुसरण करणे हे उचित आहे, जी गोष्ट सयुक्तिक असून तीस शास्त्राधार आहे तिचे अनुवर्तन करणे हा उत्तम पक्ष. परंतु तीच अयुक्त असून तीस जरी शास्त्राधार असला तरी तिचे सेवन करणे हा गौण पक्ष आहे. ज्या गोष्टीस अनुकूल व प्रतिकूल असे दोन्ही प्रकारचे शास्त्रार्थ मिळत असतील तेथे कसा वर्तनक्रम करवा अशी सहज शंका उत्पन्न होते. जिकडे सुयुक्ततेचे व बहुमताचे प्राधान्य असेल ते शास्त्रार्थ ग्रहण करणे हा उचित, निर्बाध व भयरहित मार्ग आहे.

विवाहाचे आठ प्रकार आहेत.—१ वरास आदराने बोलावून आपल्या सामर्थ्यानुरूप वस्त्राभरणेकरून यथाविधीने सालंकरत कन्यादान करणे तो 'ब्रह्मविवाह.' २ यज्ञामध्ये ऋत्विजास सालंकरत कन्यादान करणे तो 'दैव विवाह.' ३ दोन गायी वरापासून घेऊन कन्यादान करणे तो 'आर्ष विवाह.' ४ गृहस्थाश्रमधर्मेकरून चालीवे असे याचकास सांगून सालंकरत कन्यादान करणे तो 'प्राजापत्य विवाह.' ५ द्रव्य घेऊन कन्यादान करणे तो 'आसुर विवाह.' ६ कन्या आणि वर या उभयतांच्या संमताने झालेला जो विवाह तो 'गांधर्व विवाह.' ७ युद्धामध्ये शत्रूस जिकून हरण केलेल्या कन्येशी पाणिग्रहण करणे तो 'राक्षस विवाह.' ८ नानाविध कपटादि उपाये करून कन्येचे हरण करून उद्धरण करणे तो पैशाच विवाह.

ब्राम्ह, दैव, आर्ष, प्राजापत्य, आणि आसुर हे पांच प्रकारचे विवाह कन्येचे मातापितरांच्या संमताने होतात. ह्या विवाहविधींत क-

न्यादानाचें प्राधान्य आहे. त्यांत 'ब्राम्हविवाह' उत्तम धरला आहे. गांधर्व विवाह, कन्या आणि वर यांच्या समतानें होतो म्हणून त्यांत कन्यादानाचा शक्तिग्रह होत नाही. हा विवाहाचा प्रकार मध्यम मानला आहे.

राक्षस आणि पैशाच विवाह हे कन्येच्या अथवा तिच्या बापाच्या अनुमताशिवाय बलात्कारें होतात म्हणून कनिष्ठ धरले आहेत.

ह्या अष्टविध विवाहांपैकी कोणाची पुनरावृत्ति करणें त्यास पुनर्विवाह म्हणतात. पुनर्विवाह करणें तो प्रसंगविशेषी करणें. एरवीं करणें हें शास्त्रास व न्यायास विरुद्ध आहे. ते प्रसंग त्रिविध आहेत.

१ पति जिवंत असून विवक्षित अडचणी आल्या असतां. २ त्याची वार्ता केवळ कांहींच नसतां व ३ तो मरण पावला असतां.

१ पति जिवंत असतां तो पतिव्रत्ता भोगण्यास अयोग्य होतो, अतएव यथाविधीनें विवाहित जी त्याची स्त्री ती पुनर्विवाह संस्कारास योग्य होते असें आहे. पराशर व कात्यायन ऋषींच्या मतें प्रसंग सात प्रकारचे आहेत. १ अन्य जातीय. २ दास. ३ एक गोत्रप्रवरांतील, ४ पतित. ५ दुराचारी. ६ नपुंसक. ७ क्षयादिरोगग्रस्त.

२. पराशर ऋषींच्या मतें पतीचें वर्तमान कांहींच लागत नाही, तर स्त्रियांस दुसरा पति करणें विधियुक्त आहे.

३. त्याच ऋषींच्या मतें आणखी असें आहे कीं, पति मृत्यु पावला असतां स्त्रियांस दुसरा पति करणें विधियुक्त आहे.

नष्टे मृते प्रव्रजिते क्लीबे च पतिते पतौ ।

पंचस्वापत्सु नारीणां पतिरन्यो विधीयते ॥

कात्यायन ऋषींच्या मतें पति दुराचारी व क्षयादिरोगग्रस्त असतां स्त्रिया पुनः संस्कारास योग्य होतात.

वरो यद्यन्यजातीयः पतितः क्लीब एव वा ।

विकर्मस्थः सगोत्रो वा दासो दीर्घामयोपि वा ।

उद्धापि देया सान्यस्मै सप्रावरणभूषणा ॥

दुराचारपरत्वे व क्षयादिरोगपरत्वे पतित्वसत्ता नष्ट होते तर अर्थात् तच्च ती मृत्युपरत्वे नष्ट होईल हें निर्विवाद आहे. कितपिकांच्या मते पित्यानें एकदा आपल्या कन्येचें दान केलें म्हणजे तिचें पुनः दान करण्यास त्यास अधिकार किंवा सत्ता नाही. कोणत्याही कारणानें कन्येचा पुनर्विवाह करणें यांत दान केलेल्या वस्तूचें पुनः दान केल्याचा दोष घडतो, तस्मात् पुनर्विवाह करणें हें सदोष आहे.

परंतु गांधर्व विवाहांत कन्यादानाचा अंतर्भाव होत नाही, त्यामुळे गांधर्वविवाहित जी स्त्री तिचा पति मृत झाला असता ती पुनः संस्कारास अयोग्य होत नाही. ज्या लोकांत गांधर्वविवाह ग्राह्य आहे. त्या लोकांत पुनर्विवाहाची प्रवृत्ति आहे. ज्यापेक्षां आपल्या लोकांत कन्यादान करून विवाह करण्याचा शास्त्राधारे प्रचार पडून गेला आहे, त्यापेक्षां पुनर्विवाह करणें हें सयुक्त असेल तरी किती-एकांच्या मते शास्त्रविरुद्ध आहे.

कन्या पुनः दुसऱ्यास दान देऊं नये. असा शास्त्रविधि असून त्यास बौधायन ऋषींच्या मते एक अपवाद आहे.

बलादपहृता कन्या मंत्रैर्यदि न संस्कृता ।

अन्यस्मै विधिवद्देया यथा कन्या तथैव सा ॥

अर्थ—बलात्कारें करून कन्येचें हरण करून विवाह केला तो सप्तपदीविषयंत मंत्रपूर्वक झाला नाही, तर तिचें दान दुसऱ्यास करावें. तिचें कन्यात्व नष्ट होत नाही. आणि पित्यासही कन्यादानफल प्राप्त होतें.

कन्येचा सप्तपदींत विवाहविधि झाल्यावर ती पुनः विवाह करण्यास अयोग्य आहे अशीं कित्येक ऋषींचीं वाक्यें आहेत. धर्मपत्नीत्व येण्यास

पाणिग्रहणाचे जे मंत्र ते नियमंकरून कारण होतात. त्यांची स्थिति सप्तपदीविधि पावेतो जाणावी असें वसिष्ठ ऋषीचें मत आहे.

पाणिग्रहणिका मंत्रा नियतं दारलक्षणं ।

तेषां निष्ठा च विज्ञेया विद्वद्भिः सप्तमे पदे ॥

बधूवरांचीं लक्षणे सांगत असतां याज्ञवल्क्य ऋषि ह्मणतात कीं, ब्रह्मचर्यच्युत नसतां उत्तम लक्षणांनीं युक्त असा वर असावा. आणि त्यानें ज्या कन्येशीं विवाह करणें ती सुंदर व वयानें लहान असावी. आणि ती स्वगोत्रांतील अथवा दुसऱ्यास दिलेली नसावी. ब्रह्मचर्य नष्ट झालें नाहीं अशा वराचें, कुमारत्व नष्ट झालें नाहीं अशा कन्येशीं जो विवाह होतो तो धर्मशास्त्रसंमत असून युक्तिसंमतही आहे. कन्येस वर पाहणें तो ब्रह्मचर्य नष्ट नसून उत्तम लक्षणेकरून युक्त असा पहावा. यावरून पुरुषासही पुनर्विवाह करणें हें प्रशस्त नव्हे असें होईल. आणि एक पत्नी जिवंत असतां दुसरी करणें हें तर अगदींच अप्रशस्त व अयुक्त समजावें. भार्या मृत झाली असतां दुसरी करणें हें जसें युक्त आहे तसें भ्रतार मरण पावला असतां दुसरा करणें हें कां युक्त नसावें असें सांप्रत कित्येक लोकांचें ह्मणणें आहे. भ्रतार जिवंत असतां स्त्रीनें त्याचे आज्ञेत वर्तावें व तो मरण पावल्यावर पुत्राचे आज्ञेत वागावें असा शास्त्रविधि आहे, त्यापेक्षां जीस पुत्र आहे तिणें पुनर्विवाह करूं नये असें स्पष्ट होतें. जी वैधव्यधर्मानें चालण्यास उत्सुक आहे तिनें व जी वयपरत्वे किंवा कोणत्याही कारणानें सधवा होण्यास अनुत्सुक अथवा अयोग्य आहे तिणें वैधव्यस्थितीत राहून सद्धर्मानें वर्तावें हें तिला अतिश्लाघ्य व उचित आहे.

नारदऋषीच्या मतें जी अप्राप्तमैथुन आहे तिचा सप्तपदंत विवाह-विधि झाला असला तरी ती पुनर्विवाहास योग्य होती.

उद्वाहितापि सा कन्या न चेत्संप्राप्तमैथुना ।

पुनःसंस्कारमर्हेत् यथा कन्या तथैव सा ॥

धर्मशास्त्राधारे बहुमत पाहतां जोपर्यंत कुमारत्व नष्ट झालें नाहीं, तोपर्यंत कन्या पुनर्विवाहास योग्य समजावी. अनेक ऋषींच्या मते सप्तपदीविधि होतांच कन्यात्व नष्ट होतें. नारदादि-ऋषींच्या मते पुरुषज्ञान होतांच कन्यात्व नष्ट होतें. युक्तीची व शास्त्राची एकवाक्यता करून पाहतां बहुमतास विरुद्धता येते. तथापि विवाहवयस्क असून जी अप्राप्तपुरुषज्ञान तिचा पुनर्विवाह करणें हें धर्मशास्त्रास अथवा युक्तीस विरुद्ध नाहीं.

अप्राप्तपुरुषज्ञान जी स्त्री तिचा पुनर्विवाह करावा म्हणून जी शास्त्रसंमती ती कल्पियुगास लागू नाहीं. व या युगांत हा विवाह प्रचारांत आणला असतां पतिहिंसादि दुष्कर्मांची मोठी प्रवृत्ति होईल असें कित्येक आपल्या स्वधर्मनिष्ठ अशा सत्पथानुयायी लोकांचें म्हणणें आहे, तें किती विचारास्पद, सुयुक्त व ग्राह्य आहे याचा विचार अवकाशानुरूप करूं.

Appendix H.

पुणें येथील ज्ञानप्रकाश.

(तारीख ६ आगस्ट सन १८६३.)

पाठारे परभूजातीच्या कितीएक वजनदार गृहस्थांनीं आपल्या जातीतील कितीएक रीति सुधारण्याविषयीं एक नवीन सभा उत्पन्न केल्याचें प्रसिद्ध झाल्यापासून हिंदुजातीतील विधवांचा पुनर्विवाह करण्याच्या रीतीच्या गुणदोषांविषयीं इंग्रजी व देशभाषेतील प्रायः सर्व वर्तमानपत्रांत थोडाबहुत विचार झाला त्या विचारांत

प्रायः सर्व पत्रकर्त्यांचा अभिप्राय ती रीति चांगली आहे व ती चालू केली असता देशाचें हित आहे असा पडला. ही एकवाक्यता आमच्या बंधुवर्गाचे उदार व पोक्त विचारास व दयालु अंतःकरणास फारच भूषणास्पद होय.

या पुनर्विवाहरूप विषयाचा दोन दृष्टींनी विचार, केला पाहिजे. एक लौकिक युक्तीच्या दृष्टीने व दुसरा शास्त्रदृष्टीने व लौकिकयुक्तीने पाहिलें असतां लक्षणजे विधवांचा पुनर्विवाह करण्याची रीति प्रवृत्त केल्यास तीपासून लोकांचा नफा आहे किंवा तोटा आहे याच्याच संबंधानें पाहिलें असतां ती रीति हितावह व चांगली आहे असें निष्पक्षपाती लोकांस कबूल करावें लागेल यांत संशय नाही. पुनर्विवाहाची रीत चालू नसल्यामुळे वैधव्यरूप दुर्दशा प्राप्त झालेल्या स्त्रियांस व विशेष करून अल्पवयांत ज्या हतभाग्यस्त्रियांवर तो दुःखाचा डोंगर कोसळतो, त्यांस अनेक प्रकारच्या पीडा प्राप्त होतात व तो प्रतिबंध बहुत प्रकारच्या दुःखांस व अनर्थांस व दुःराचरणास कारण होतो, ही गोष्ट जुन्या समजुतीचे व वृद्ध वृद्ध-सुद्धां कबूल करतात. आतां स्त्रियांचा पुनर्विवाह करण्याची रीति चालू केली असतां कांहीं दुष्ट स्त्रिया वांछित दुसऱ्या पुरुषाशी लग्न करण्याकरितां प्रथमपतीचा घात करतील वगैरे, ज्या कोणी कल्पना करतात. ते अज्ञानमूलक केवळ कुतर्क आहेत. असें लक्षांत पाहिजे. पुनर्विवाहाची चाल ब्राह्मण वगैरे या देशांतील कांहीं थोडी प्रजा खेरीज करून दुन्येंतल्या बाकीच्या सर्व लोकांत ती रीति जारी असतां त्या लोकांत पतिहत्या करणाऱ्या स्त्रिया किती निघतात याचा विचार केला असतां वरच्या शंकांत किती जीव आहे हें सुज्ञ मनुष्याच्या सहज ध्यानांत येईल. या शंका जे लोक काढतात त्यांचें कारण इतकेंच समजतें कीं, पुनर्विवाह न करण्याची चाल आपल्या देशांत बहुत कालपर्यंत चालत आहे तेव्हां तिला कांहीं तरी कारण असावें असें वाटून लोक कांहीं तरी युक्ति सां-

गावी लणून सांगतात. याखेरीज दुसरें कारण काहीं दिसत नाही. असो, या विचारावरून असें उघड दिसतें कीं, लोकांत या रीतीची प्रवृत्ति न पडण्यास वास्तविक अडचण झटली लणजे शास्त्राचीच होय. विधवा स्त्रियांच्या दुःखाचें वर्णन आमचा नगरचा बंधु वृत्तवैभवकार वगैरेंनीं मनोवेध रीतीनें केलें आहे. तीं दुःखें खोटी आहेत किंवा त्या दुःखाविषयी आपल्या लोकांस कळवळा येत नाहीं असें नाहीं; परंतु त्यांस कळवळा आला तरी त्यांच्या समजुतीप्रमाणें त्यांस जी शास्त्राची आज्ञा वाटते. तिचें त्यांच्यानें उलंघन करवत नाहीं, तर शास्त्राकडूनच या गोष्टीस किती प्रतिबंध आहे याचा विचार करणें या प्रकरणांत अत्यंत मुख्य आहे असें आम्हांस वाटतें. व त्याच संबंधानें या विषयाचें यथा-युक्ति उपपादन करण्याचा आम्ही निश्चय केला आहे. आमचे सुज्ञ व विद्वान् वाचणारे आमच्या लेखाकडे लक्ष देऊन निष्पक्षपातानें त्याचा विचार करतील अशी आम्हांस आशा आहे.

पुनर्विवाहाच्या प्रकरणावर शास्त्रकर्त्यांचा वास्तविक अभिप्राय काय आहे हें समजण्यासाठीं या प्रकरणाचा फुरसतीअन्वये बराच शोध केला. आम्ही पुनर्विवाहप्रवृत्तीस साधक व बाधक असे लहान मोठे एक दोन ग्रंथ काहीं भिन्नांच्या सहायानें पाहिले. आमच्या विचारावरून आम्हांस असें वाटतें कीं, शास्त्राचा निष्पक्षपातानें व दुरभिमान सोडून विचार केला असतां तें शास्त्र म्हणजे स्त्रियांच्या पुनर्विवाहास प्रतिबंधक नाहीं या पुनर्विवाहप्रकरणावर ईश्वरचंद्र विद्यासागर या नांवाच्या बंगाल्यांतील एका मोठ्या प्रसिद्ध पंडितानें ग्रंथ छापला आहे. त्यांत त्यानें याविषयास अनुकूल किंवा प्रतिकूल जीं वचनें शास्त्रांत आढळतात त्यांचा विचार व व्यवस्था केली आहे, तो ग्रंथ आम्ही पाहिला. तसेंच पुनर्विवाहास विरुद्ध असा एक ग्रंथ चांगल्या प्रसिद्ध एतद्देशीय एका जुन्या पंडितानें लिहिलेलाही आमच्या पाहण्यांत आला. तशींच या प्रकरणावर लिहिलेलीं शास्त्राचीं एक दोन विरुद्ध मतेंही

आमच्या पाहण्यांत आली; परंतु त्या सर्वांचे निष्पक्षपातबुद्दीनें मनन केलें असतां वर सांगितलेला आमचा ग्रह ह्मणजे शास्त्र स्त्रियांचे पुनर्विवाहास प्रतिबंधक नाही हा ग्रह बदलला नाही.

शास्त्र हटलें ह्मणजे त्यांत तीन प्रकारच्या ग्रंथांचा संग्रह होतो. श्रुति, स्मृति आणि पुराणें. यांमध्ये पाहिलें दुसऱ्यापेक्षां व दुसरें तिसऱ्यापेक्षां बलवत्तर समजावें. ह्मणजे श्रुति, स्मृति किंवा पुराण यांचा विरोध आला असतां श्रुति खरी व दुसरीं खोटी. व स्मृति व पुराण यांच्या मध्ये विरोध आला असतां स्मृति खरी व पुराणें दुर्बल असा शास्त्रकाराचा सर्वमान्य सिद्धांत आहे यास प्रमाण.

श्रुतिस्मृतिपुराणानां विरोधो यत्र दृश्यते.

तत्र श्रौतं प्रमाणं स्यात्तयोर्द्वेभ्यो स्मृतिर्वरा.

अर्थ— श्रुति, स्मृति आणि पुराणें यांचा विरोध आला असतां श्रुति प्रमाण होय. व स्मृति व पुराणें यांचा विरोध आला असतां स्मृति प्रमाण होय.

असो, याप्रमाणें तीन शास्त्ररूप प्रमाणें होत. त्यांत पुनर्विवाहाचे प्रकरणांत श्रुतिरूप प्रमाण साधकही नाही व बाधकही नाही असें दिसतें. आतां स्मृतीत पुनर्विवाहास साधक वचनें पुष्कळ आढळतात. तीं एकाच ऋषीच्या ग्रंथांत आहेत. असें नाही. तर अनेकांच्या ग्रंथांत आहेत. पराशर ऋषीचें वचन.

नष्टे मृते प्रव्रजिते क्लीबे च पतिते पतौ.

पंचस्वापत्सु नारीणां पतिरन्यो विधीयते.

हे तर आमच्या कित्येक वाचणारांस अगदीं मुखोद्गत झालें असेल. तसेंच नारदसंहिता नामक ग्रंथांत नारद ऋषीनें “ नष्टे मृते प्रव्रजिते ” हें वचन लिहून आणखी वचनें लिहिलीं आहेत तीं येणेंप्रमाणें.

अष्टौ वर्षाण्यपेक्षेत ब्राह्मणी प्रोषितं पतिं ।
 अप्रसूता तु चत्वारि परतोऽन्यं समाश्रयेत् ॥
 क्षत्रिया षट् समास्तिष्ठेदप्रसूता समा त्रयं ।
 वैश्या प्रसूता चत्वारि द्वे वर्षेऽन्वितरा वसेत् ॥
 न शूद्रायाः स्मृतः काल एष प्रोषितयोषितां ।
 जीवति श्रूयमाणे तु स्यादेष द्विगुणो विधिः
 अप्रवृत्तौ तु भूतानां दृष्टिरेषा प्रजापतेः
 अतोऽन्यगमने स्त्रीणामेष दोषो न विद्यते ।

अर्थ— पति देशांतरास गेला असेल व त्याचा पत्ता काहींच नसेल तर प्रसूत म्हणजे मूल झालेल्या ब्राम्हण स्त्रीने चार वर्षे वाट पाहवी. व मूल झाले नसल्यास आठ वर्षे पाहवी आणि नंतर दुसरा पति करावा. क्षत्रियस्त्रीने ती प्रसूत झाली असल्यास सहा वर्षे व तशी नसल्यास तीन वर्षे वाट पाहवी. वैश्यस्त्रीने ती प्रसूत झाली असल्यास ४ वर्षे व नसल्यास दोन वर्षे वाट पाहवी. शूद्रस्त्रीने किती वेळ वाट पाहवी याविषयी स्मृतिकार्यांनी काहींच लिहिले नाही. प्रवासास गेलेला पति जिवंत आहे असे ऐकून ठाऊक असल्यास वर सांगितलेल्यापेक्षा दुप्पट वाट पाहवी, असे सृष्टीचा स्वामी जो ब्रह्मदेव याचे मत आहे. या काळानंतर दुसऱ्याशी विवाह केल्यास स्त्रियांस दोष नाही.

हे वचन पाहून तर कितीएक आमच्या वाचणारांस क्षमत्कार वाटेला असे आम्हांस वाटते; परंतु हे वचन खरे आहे याविषयी त्यांनी तिळमात्रही भ्रांति धरू नये.

ॐ कात्यायनऋषीचें वचन.

स तु यदन्यजातीयः पतितः क्लीब एव वा ।

विकर्मस्थः सगोत्रो वा दासो दीर्घार्मयोपि वा ॥

ऊढापि देया सान्यस्मै सप्रावरणभूषणा ॥

अर्थ वर जर दुसऱ्या जातीचा किंवा पतित किंवा षंड किंवा वाईट

कर्माचा किंवा सगोत्री किंवा दास किंवा दीर्घ रोगयुक्त असल्यास त्या-
शीं विवाह झाला असला तरी ती कन्या वस्त्रे दागिने यांनीं भूषित अशी
दुसऱ्यास दावी.

त्याच ऋषीचें आणखी असें वचन आहे कीं,
वरयित्वा तु यः कश्चित्प्रणश्येत् पुरुषो यदा ।
ऋत्वागमांस्त्रीनतीत्य कन्यान्यं वरयेद्दरं ॥

अर्थ—कोणी पुरुष कन्येस वस्त्रे कोणीकडे नाहींसा होईल तर त्या
कन्येनें तीन ऋतु झाल्यावर दुसरा वर करावा. याच अर्थाचें नारद-
ऋषीचें व वसिष्ठऋषीचें वचन आहे.

आतां या प्रकारचीं पुष्कळ ऋषींचीं वचनें अनुकूल असतां पुनर्वि-
वाह चालू व्हावा अशी इच्छा धरणाऱांनीं या प्रकरणांत पराशर ऋषी-
च्या वचनावर मुख्यत्वे करून निर्भर ठेवण्याचें कारण हेंच कीं, त्या ऋ-
षीचा ग्रंथ मुख्यत्वे करून कलियुगांतील आचार समजण्याकरतांच
केला आहे, यास्तव या युगांत त्या ग्रंथाचें महत्त्व सर्वांत अधिक समजलें
पाहिजे. पराशर स्मृतींतील आचारच कलियुगांत प्राधान्य होत, या-
विषयीं प्रमाण असें कीं, पराशरस्मृतीच्या प्रथमाध्यायांत असें लिहिलें
आहे कीं, व्यासप्रभृति मुनींनीं पराशर ऋषीस असा प्रश्न केला कीं,
महाराज, आह्मी मनु, वाशिष्ठ, गर्ग, गौतम, याज्ञवल्क्य, वगैरे सर्व ऋषींचे
धर्म ऐकिले आहेत; परंतु ते पूर्व युगांचे धर्म होत. तर या कलियुगांत लागू
असे आचार आपण आम्हांस सांगावे. त्यावरून पराशरांनीं जे
आचार सांगितले त्यांतच,

नष्टे मृते प्रव्रजिते ह्रीवे च पतिते पतौ ।

पंचस्वापत्सु नारीणां पतिरन्यो विधीयते ॥

या वचनानें पुनर्विवाहाची परवानगी दिली आहे, तेव्हां या युगांत-

ला हा आचार शास्त्राविरुद्ध होय असें सिद्ध होतें. याविषयीं दुसरें विशेष स्पष्ट वचन असें आढळतें कीं.

कृते तु मानवा धर्मास्त्रेतायां गौतमाः स्मृताः ।

द्वापरे शांखलिखिताः कलौ पाराशराः स्मृताः ॥

अर्थ.—मनूनें सांगितलेले धर्म म्हणजे आचार कृतयुगांतले होत. गौतम ऋषीनें सांगितलेले त्रेतायुगांतील होत. शंख आणि लिखित या नांवाच्या ऋषींनीं सांगितलेले धर्म द्वापार युगांतले होत. व पाराशर ऋषीनें सांगितलेले धर्म कलियुगांतले आहेत. यावरून कलियुगांत स्त्रियांस एक पति मरण पावला असतां दुसरा पति करण्याविषयीं शास्त्राची परवानगी आहे असें उघड होतें. या गोष्टीवर विरुद्धमताच्या लोकांच्या शंका कोणत्या आहेत व त्या शंकांचीं समाधानें कोणतीं आहेत याचा विचार विस्तारभयास्तव आज करीत नाहीं पुढल्या खेपेस करूं.

पुनर्विवाहनिबंध २ रा.

(ज्ञानप्रकाश तारीख २० आगस्ट सन १८६३)

मागल्या पंध्रवड्यांत आम्ही या विषयावर जो मजकूर लिहिला त्यांत असें लिहिलें होतें कीं, श्रुतींत म्हणजे वेदांत पुनर्विवाहास साधक किंवा बाधक अशीं कांहीं वचनें नाहींत. परंतु आमच्या एका विद्वान् मित्रानें आम्हांस ऋग्वेद संहितेंतील एक ऋचा दाखविली. त्या ऋचेत यद्यपि पुनर्विवाहाचें स्पष्ट विधान नाहीं खरें, तथापि ती गोष्ट वैदिक काळांत चालू होती हें स्पष्ट सिद्ध होतें ती ऋचा सातव्या अष्टकाच्या आठव्या अध्यायांत पंध्राव्या वंगीची दुसरी ऋचा आहे, तीत अध्विनी कुमारांची स्तुति आहे. या स्तुतींत “विधवा देवरास किंवा (साधारण) स्त्री पुरुषांस शय्येवर जसें आलिंगन करते”

असा दृष्टांत दिलहा आहे व 'देवर' या शब्दाचा अर्थ निरुक्तकार यास्क ऋषींनी 'द्वितीयवर' असा केला आहे. त्यावरून विधवेस द्वितीयवर करण्याची चाल वैदिक काळांत होती असें उघड सिद्ध होतें. आतां यास्क हा ऋषि होय. व त्यानें केलेला ग्रंथ 'निरुक्त' हें वेदांग होय. हें आमच्या सुज्ञ वाचणारांस टाऊक असेलच. तेव्हां यास्कमुनीनें जो अर्थ लिहिला तो सर्वांस मान्य करणें अवश्य आहे. तसेंच वेदांत दुसरेंही पुनर्विवाहाविषयीं गमक प्रमाण आढळतें तें हें कीं, ऋग्वेदब्राह्मणाच्या तिसऱ्या पंचिकेत असें वाक्य आहे कीं "एकस्य वंह्यो जाया भवन्ति नैकस्या बहवः सह पतयः" ह्मणजे एका पुरुषास पुष्कळ स्त्रिया होतात; परंतु एका स्त्रीस एककाळीं बहुत पति होत नाहीत" या ठिकाणीं एककाळीं (सह) पुष्कळ पति होत नाहीत असें लटलें यावरून भिन्नकाळीं पुष्कळ पति होतात असा. ग्रंथकर्त्याचा अभिप्राय उघड स्पष्ट होतो. असा अभिप्राय जर वाक्यांत नसता तर 'सह' शब्द वाक्यांत घालण्याचें कांहींच प्रयोजन नव्हतें. याचा विचार आमच्या सुज्ञ व निष्पक्षपाती वाचणारांनीं करावा. आह्मांस स्पष्ट वाटतें कीं, या वरील वेदांतल्या आधारावरून बहुतेक स्मृतिकारांनीं पुनर्विवाहाविधायक वचनें आपल्या ग्रंथांत लिहिलीं आहेत यावरून ती चाल श्रुति व स्मृति या दोहोंसही अनुसरून आहे असें निष्पक्षपाती सर्व पुरुषांस कबूल केलें पाहिजे.

आतां गेल्या पंथवड्यांतील निबंधांत आह्मी पुनर्विवाहाच्या चालीस विरुद्ध असणाऱ्या लोकांच्या शंका कोणत्या आहेत व त्या शंकांचीं समाधानें कोणतीं आहेत त्याविषयीं लिहिण्याचें कबूल केलें होतें त्याप्रमाणें त्या विषयाचा विचार करतो.

प्रथमारेषीं आह्मी आपल्या निष्पक्षपाती व सुज्ञ वाचणारांस कळवितों कीं, पुनर्विवाह करावा याविषयीं जशीं पराशरादिक ऋषींचीं स्पष्ट वचनें आहेत व जीं वचनें आह्मी मागल्या निबंधांत लिहिलीं आहेत तशीं पुन-

विवाह करूं नये अशी स्पष्ट वचने श्रुतीत किंवा स्मृतीत कोठें सांपडत नाहीत. आम्ही पुनर्विवाहाच्या विरुद्ध कितीएक ग्रंथ पाहिले, परंतु त्यांत स्पष्ट निषेधवचने कोठेच आढळली नाहीत. यावरून स्पष्ट असे अनुमान होतें की, तशी वचने खरोखरीच नाहीत जर असतीं तर ते विरुद्ध, ग्रंथकार तीं लिहावयास कधी चुकतेना.

असो. आतां पुनर्विवाहमतखंडक लोक स्वतःचा पक्ष सिद्ध करण्याकरतां असे प्रमाण सांगतात कीं, पुनर्विवाह करण्याची रीत पूर्वयुगांत होती खरी व त्याच कारणानें त्या गोष्टीस अनुकूल वाक्ये स्मृतीत आहेत, परंतु ती रीत कलियुगांत निषिद्ध केली आहे यास प्रमाण ते, आदित्य युगांतील पुढील वचने सांगतातः—

उद्धायाः पुनरुद्वाहं उयेष्टांशं गोवधं तथा ।

कलौ पंच न कुर्वीत भ्रातृजायां कमंडलुं ॥

अर्थ.—“विवाह झालेल्या स्त्रीचा पुनः विवाह, वडील पुत्रास अधिक विभाग, (यज्ञांत) गाम्भीचा वध, (पुत्रोत्पत्त्यर्थ) भ्रात्याच्या स्त्रीशीं गमन, आणि कमंडलुधारण ह्मणजे संन्यास, हीं पांच कलियुगांत करूं नयेत.” याच प्रमाणें आदिपुराणांत व दुसऱ्या एक दोन पुराणांत वचने आहेत त्यांवरून कलियुगांत विधवांचा विवाह होऊं नये असें कितीएक ह्मणतात. परंतु त्यांच्या या शंकेवर दोन तीन समाधानें आहेत तीं येणें प्रमाणेंः—

पहिलें समाधान असें कीं, गेल्या पंध्रवड्याचे निबंभीत

कृते तु मानवा धर्मास्त्रेतायां गौतमाः स्मृताः ।

द्वापरे शांखलिखिताः कलौ पाराशराः स्मृताः ॥ १ ॥

ही स्मृति लिहिली, आहे तीवरून पाराशरस्मृतीत जे धर्म सांगितले आहेत ते विशेषें करून कलियुगांत आचरण्याकरतोच सांगितले आहेत. व त्या पाराशरधर्मांतच नवरा मेला असतां स्त्रियांस दुसरा नवरा करण्याचा विधि आहे तेव्हां तो धर्म कलियुगांत

लाच आहे असें उघड आहे. आतां आदित्यादिपुराणांतील वर जें वचन लिहिलें आहे त्यांत विपरीत लिहिलें आहे ह्मणजे एक वेळ विवाह झालेल्या स्त्रीचा पुनः विवाह कलियुगांत करूं नये असें आहे. तेव्हां या दोन वचनांचा ह्मणजे परस्पर स्मृतीचा व आदित्यादि पुराणांचा विरोध आला. पण स्मृतीचा आणि पुराणांचा विरोध आला असतां स्मृति, पुराणांपेक्षां विशेष प्रमाण समजावी असा शास्त्र कर्त्याचा सिद्धांत मागील निबंधांत सांगितला आहे. व त्याविषयीं प्रमाण वचनही लिहिलें आहे. त्यावरून स्मृतीचें मत खरें व पुराणमत दुर्बल असल्यामुळें अग्राह्य असा उघड सिद्धांत होतो.

दुसरें समाधान असें आहे कीं, एका वराला कन्या दिली असतांही प्रसंगवशात् तितक्यांत दुसरा चांगला वर आढळला असतां त्यास ती देऊन असत. याज्ञवल्क्य संहितेंत असें वचन आहे कीं,

दत्तामपि हरेत्पूर्वात् श्रेयांश्चेद्वर आब्रजेत् ॥

अर्थ—“पूर्वीच्या पेक्षां चांगला वर येईल तर दिलेलीही कन्या परत घेऊन दुसऱ्यास द्यावी” इत्यादि वचनांवरून एकास दिलेली कन्या तो जिवंत असतां दुसऱ्यास देण्याची जी बहिष्काट पूर्वी होती ती वरील आदित्यपुराणांतील वचनानें या युगांत निषिद्ध केली असा अर्थ ही त्या वचनाचा संभवेल.

तिसरें समाधान असें आहे कीं, मागल्या निबंधांत काव्यायन ऋषीचें वचन,

स तु यद्यन्यजातीयः पतितः क्लीब एव वा ।

विकर्मस्थः सगोत्रो वा दासो दीर्घामयोपि वा ।

ऊढापि देया सान्यस्मै संप्रावरणभूषणा ॥

असें लिहिलें आहे. त्या वचनावरून पराशरस्मृतींत सांगितलेल्या पांच

कारणापेक्षा अधिक कारणें पुनर्विवाह होण्यास सांगितली आहेत. तेव्हां कलिनिषेधदर्शक आदित्यपुराणातील वचनानें इतर कारण-निमित्तक पुनर्विवाहाचा निषेध मानावा व 'नष्टे मृते' इत्यादि वचनानें पंच कारणांनीं मात्र या युगांत पुनर्विवाह होतो अशी व्यवस्था केली असें मानावें. या प्रमाणें विरुद्ध दिसणाऱ्या वचनांची सामान्य विशेष भावें करून व्यवस्था करण्याची रीत शास्त्रांत चालू आहे त्याप्रमाणें येथेही करावें. सारांश पराशरस्मृतीतले 'नष्टे मृते' इत्यादि वचनांत इतकी स्पष्ट रीतीनें पुनर्विवाहाची अनुज्ञा दिली आहे कीं, ती सर्व निषेधपाती पुरुषांस कबूल करणें अवश्य आहे. दुराग्रही मनुष्यांची मात्र गोष्ट वेगळी.

आतां कोणी असें ह्मणतात कीं, वर जें पराशरस्मृतीतलें वचन लिहिलें त्यांत 'पतिरन्यो विधीयते' येथील पतिशब्दाचा अर्थ नवरा असा नव्हे तर स्वामी असा समजावा. कारण पतीचे आज्ञेवांचून धर्मकृत्यें करण्यास स्त्रीस अधिकार नाही व पति मेल्यानंतर तिचीं धर्मकृत्यें बंद होतील, यास्तव पराशरानें 'पतिरन्यो विधीयते' या वचनानें तिला आज्ञा देणारा दुसरा स्वामी व्हावा असें सांगितलें. तो स्वामी कुळांतील दुसरा कोणी वडील मनुष्य होय. त्याच्या आज्ञेनें विधवेनें धर्मकृत्यें करावीं.

ही वरील शंका इतकी पोकळ आहे कीं, तिचें गंभीरपणें खंडण करणें सुद्धां कितीएक सुज्ञ पुरुषांस पोरकळ वाटेल व आह्मीही तिच्या कडे लक्षपुरवून तिचें उत्तर देण्यांत आपला स्वतःचा व आमच्या प्रिय वाचणारांचा वेळ खराब केला नसता; परंतु ती शंका आपणास विद्वान् ह्मणविणाऱ्यांच्या तोंडून आमच्या ऐकण्यांत आली सबब प्रतिपक्षांतील साधारण लोकांस ती महत्वाची भासेल असें वाटून आह्मी थोडक्यांत तिचें येथें उत्तर देतो.

शंका करणारास प्रथम आह्मी असें विचार तो कीं, वरील वचनांत पतिशब्दाचा असा अपूर्व अर्थ करण्यास प्रयोजन कोणतें ? तसेंच वरील

वचनांत पूर्व पति षंड असतां दुसरा पति करण्यास अनुज्ञा दिली आहे. परंतु वरील शंका करणारांच्या अर्थाप्रमाणे तसें असूं नये. कारण पति षंड असला तरी तो आज्ञा देण्याच्या उपयोगीं षंडण्यास कांहीं चिंता नाही. तसेंच वर सांगितल्याप्रमाणे पतिशब्दाचा अर्थ करण्यास बाधक वचनेंही आहेत. बृहत्पाराशरांत असें वचन आहे कीं.

जीवन्वापि मृतो वापि पतिरेव प्रभुः स्त्रियाः ।

नान्यास्ति देवता स्त्रीणां पतिरेव प्रभुर्यतः ॥

अर्थ—“जिवंत किंवा मेलेला असा पतीच स्त्रीचा स्वामी होय. स्त्रियांस दुसरें दैवत नाही. पतीखेरीज स्त्रीला दुसरा स्वामी नाही.” या वचनांत पति मेला तरी तोच स्त्रीचा स्वामी दुसरा स्वामी तिला नाही. असें पुराशराचें मत स्पष्ट असतां त्यानें पति मेला असतां दुसरा आज्ञा देणारा नेमावा याअभिप्रायानें नष्टे मृते इत्यादि वचन लिहिलें असें म्हणणें किती सयुक्तिक आहे याचा सुज्ञानींच विचार करावा.

NATIONAL ARCHIVES OF INDIA

APPENDIX I.

PATHARE REFORM ASSOCIATION.

Bombay, 31st January 1863.

“DO NOTHING THAT YOU WISH TO CONCEAL.”

Taking into serious consideration the miserable and wretched condition to which numerous families of the Pathare Prabhu Community have been reduced of late years, it has been resolved as follows;

I. That the following gentlemen are to form themselves into a body to be designated Pathare Reform Association:—

Mr. Moroba Cannoba of Poona.

„ Ramchandra Balcrishnaji of Bombay.

„ Dwarkanath Juggunathji Ditto.

„ Gopinath Ragoonathji of Poona.

„ Khunderao Moroji of Bombay.

„ Ladkoba Atmaramji of Broach.

„ Cashinath Dhakji of Bombay.

„ Nana Moroji of Dhoolia.

„ Balcrishna Luxumanji of Bombay.

„ Gunputrao Shrikrishnaji of Poona.

„ Sudanundrao Wisswanathji of Poona.

II. That the objects of the Institution shall be as follows:—

Firstly.—The attention of the Association shall be directed to the consideration of the best means of re-introducing the practice of female remarriage amongst their Class, a practice evidently discontinued by the jealousy of males, but declared quite legal by a Legislative Enactment Act No. XV. of 1856.

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Secondly.—The Association shall take into consideration what expenses now attendant on the marriage of children and on other auspicious ceremonies, as well as on funeral occasions can properly be curtailed.

Thirdly.—A Fund shall be raised by voluntary donations and subscriptions, to be applied towards the maintenance and support of impoverished families, and the education of poor children of the Pathare Class and other lawful purposes.

Fourthly.—The members of the Association shall individually and collectively exert themselves with zeal and industry to improve the moral and social condition of the people of their class.

III. That at the meetings of the Association which will be held at a place to be hereafter determined, a President shall be chosen from amongst the members of the Body for the occasion, and he shall have two votes, other members having only one. Ten members with the President shall form a quorum.

IV. That, there shall be a Secretary and Treasurer to the Association. Mr. Moroba Cannoba has undertaken the office until another gentleman is found fit and willing to conduct the duties.

V. All adult male members of the Prabhu families shall be eligible to enter the Association on a written application to be made to the Secretary.

VI. Every member shall be at liberty to submit a written proposition for introducing any measure of reform which may occur to him, and on its being approved of by the majority of the members present it shall become a rule for the guidance of the whole of the Association.

VII. It has been further resolved, by the unanimous voice of the Association, that as the verbal promises so often made by members of their caste to encourage and support those who desire to marry widows cannot be fully relied upon, a deed of agreement be drawn up for the signatures of such of the adult male members, as are disposed to bind themselves up by a solemn writing to continue to maintain the same religious and social intercourse, and associate with and treat as untarnished members of the Pathare Community all remarried spouses, their parents or other guardians and their relations and connexions as if the couples had been only newly married for the first time.

MOROBA CANNABA,

Secretary to the Association.

APPENDIX J.

Bombay, 14th November, 1863.

According to appointment, a meeting of the Pathare Reform Association was held this day, in the house of Mr. Moroba Cannoba, where upwards of forty persons, of various classes, were present.

In accordance with the rules of the Institution, a member of the Association, Mr. Sudasew Morojee, was voted into the chair. As soon as the chair was occupied, Mr. Moroba Cannoba, Secretary to the Institution, opened the proceeding, by addressing the meeting to the following effect :—

This meeting is the first of the Association, and is preliminary to others, which may be held hereafter from time to time, to take into consideration such propositions as may emanate from the members of the union.

"I am now going to address you, my good friends, on a subject which has recently engaged a great deal of the attention of the thinking population, not only of Western India but the greater part of Her Majesty's dominions in the East. It is a subject which concerns the social, moral, and national position and prosperity of the Hindu females, as well as the general amelioration of the country at large. Numerous Brahmins, Kshatriyas, and Vaishyas, though ostensibly sympathizing in the miseries and distresses of the female sex, and spending some funds for opening schools for the education of native girls, have not as yet adopted any practical measure to restore to the Hindu widow the right of social and connubial happiness, which natural, as well as national law, has secured to her in the same way as to the widower. In order therefore that some vigorous and steady effort might be made in her behalf, the Pathare Reform Association was formed about the end of January last, composed of eleven members, having amongst other subjects, the re-introduction of the practice of marriage of widows. The Association, after a long and deliberate consideration, framed some rules, and resolved, as the first step, upon issuing a circular to the Pathare families. This document was carefully prepared, and issued on the 21st May last, succinctly describing, in general terms, the evils attendant on widowhood, and the torments of heart endured for life by the parents, guardians, and other protectors of the unfortunate females; and inviting those, who were so minded, to join in the great cause of reform. Being satisfied that it would be imprudent to rely on verbal promises and big professions, (a conviction unhappily

strengthened by further experience) the Association thought that the only proper and efficient way of testing the sincerity of those who styled themselves to be warm advocates of the cause of afflicted females, was to give them an opportunity of committing to paper, what they frequently expressed, as the great object of their heart. Accordingly, a regular deed of agreement was prepared by the assistance of a member of the legal profession. The circulation of this deed was, in due time, to follow the issue of the first circular; but the reception which the latter document met with, on the part of the Prabhus, educated and uneducated, was so unfavorable and hostile, the charitable and liberal spirit with which it was framed having been misconstrued into selfishness and hypocrisy, and several of the members having been assailed with all sort of abuse and invectives; the Association considered it prudent to pause for a time. Several opponents of the proposed reform denounced the Institution as a great sham, concocted, it was alleged, to disguise the sinister views of certain members! Threats of expulsion from caste were directed against the members, and they were represented to be a set of impostors, prepared to foresake their parental religion, and become converts to Christianity and Mahomedanism. Nothing daunted however, such of the members as happened to be at Poona at the time, held a special meeting in July last, where it was resolved that before putting the deed before the Prabhu families generally, it was necessary to answer the principal arguments and objections of the parties adverse to the proposed reform. Accordingly, a pamphlet, entitled "Marriage of Hindu Widows," was, after some research,

prepared, and copies thereof distributed amongst Prabhush and others. This little production, the Association are glad to say, has awakened enquiry, not only amongst the Pathare Community, but also amongst Brahmins, Bunias, Sonars, and other classes, who do not allow widows to espouse second husbands. What was at one time considered an act of sacrilege to utter, is now spoken of and discussed freely in Bombay, the Deccan, and other parts of the country, both in public and private circles; and the Association feel confident that the views of their adversaries will, by degrees, be changed into a really charitable sympathy for the female sex, whose cause we have so warmly, and we hope firmly espoused, and by co-operating with us, to restore to womankind their natural and social rights, make their own names dear to posterity. It will have been seen, by those who have attentively read the first circular and the pamphlet of the Association, that we do not advocate the reform in favor of woman simply as a measure of generous expediency, natural justice, and moral policy, but as one sanctioned by the laws of our forefathers—laws which regulate our social and moral conduct and all the common concerns of life. Having laid before the public, in the pamphlet, a fair representation of both sides of the question, I will not on this occasion, on behalf of the Association, occupy your time by going over the same grounds again, but simply confine myself to such points as have not already been particularly noticed. Some of our caste gentlemen, who seem to have studied the matter, begin to opine, that although the marriage of widows may be lawful, according to some lawgivers,

it is opposed to long established custom, and the doctrines of Manu and Vyasdeo; that it will therefore be injudicious to attempt any thing in that respect so soon; that it will be proper to leave that question to be taken up by the next generation; and that the first thing we must do is to begin with the abolition of the practice of early marriages. However plausible this logic may be in the opinion of some, it is to us quite unsatisfactory, for we regard it in no other light than a device to conceal real intentions, or an artifice to disguise want of moral courage in the garb of virtuous sympathy. The Association are not at all opposed to the prevention of infant marriages, if it is possible to make a rule binding on all that no female is to be wedded before she attains the age of puberty. It will be no reform, simply to propose that girls under the age of ten or eleven should not be married; for hundreds of instances will be found amongst Brahmins, Kshatriyas and Vaishyas, in which widowers have been able to get for their second, or third wives, females of the age of thirteen and fourteen years. The rules of the Association embrace all sorts of wholesome reforms; and the abolition of infant marriages will engage their early attention as soon as their body is numerically well constituted. If, however, any one of our caste men is of opinion that he can easily, and speedily, introduce, as a general reform, the discontinuance of infant marriages, let him at once make the attempt, and each and every member of the Association will join him heart and soul. We, however, do not think that for that single object, which is likely to be attended with as much difficulty and opposition as any other measure calculated to change

existing custom, all other reforms, more important and more urgently called for, should be totally neglected, particularly when we are convinced of their goodness and lawfulness. We need not go into ancient or modern history to find an illustration in support of this view ; we have only to look to the engineering operations in the railway schemes. When the line was proposed to be extended to the Deccan and Khandeish, the uninitiated fancied that it could not safely, and easily, be carried through the Ghauts ; yet when the work was begun, and when rails were being laid to the base and from the summit of the lofty passes, the great Sahyádrí mountains were commenced to be operated upon about the same time by mines, excavators, and other mechanical processes. The lines to Poona, Sholapoor and Khandeish, with the exception of the intermediate mountainous tract, were finished, and traffic began to pass long ago, whilst the Bhore Ghaut Incline was only opened temporarily, in April last, and the Incline of the Kausara ghaut is yet in the course of formation. What does this shew ? Why, it exemplifies that perseverance is a powerful machine, by which difficulties and barriers are surmounted. In other words, whilst simpler works are done in a comparatively short period, great and stupendous works usually occupy a long period. If any of you gentlemen, my good friends, are inclined to take the lead in attempting to change the practice of infant marriages, you are quite welcome to do so, simultaneously with our proposed reform about widows. But, your simple wish, directed to that single object, is not a good reason for throwing into the back ground all attempts at improvement and

correction in other directions. If we are to leave the remarriage reform to our children to attempt, what guarantee have we to assure ourselves, when we are in death-bed, that they will achieve it more easily and more successfully; it being quite possible, or almost certain, that they may have the same way of thinking, and wish to leave it to their future generation to carry it out; and at that rate, it may be delayed, as one of the Presidency papers remarked the other day, "until the doomsday." Let us have manly courage, and God, who helps the righteous, will help us.

I shall now allude to our Brahminical laws and rules. Our ancient writers on metaphysics, natural philosophy, and theology, belonged to so many different schools, that the doctrines and tenets of one are generally not in harmony with those of another. Whilst one exhorts us not to worship images, another particularly enjoins that worship to all. One tells you that it is not birth that makes a Brahmin, Kshatriya, Vaisha or Shudra; another requires you to believe that the mouth of Brahma was the progenitor of the first; his arms produced the second, his belly the third, and his feet the fourth, deliberately concealing from you that this is no more than a figure of speech. In like manner, in inculcating rules of morality, one author informs you that nothing is a greater sin than to speak a falsehood, whilst another pronounces untruth, on various occasions, not only excusable, but honorable. Manu, the reputed common father of the Brahminical world, has not hesitated to tell you two things, diametrically opposed to one another. In chapter 7, verse 82, he declares falsehood to be the greatest sin, and recommends it to be

totally shunned, as being the cause of torment to the liar for a hundred transmigrations ; nevertheless in verse 103 he calls falsehood "the speech of gods," when used from a pious motive. He mentions as an instance of piety, the saving of a man from justice, in which case one may unblushingly indulge in untruth. Other systems of jurisprudence have black and white lies, whilst our great legislator mentions another species, viz. a pious lie ! That Manu was a writer of great antiquity, and his literary and classical character was most estimable, there can be no doubt ; but he was no more than a man like ourselves. It is idle superstition and ignorance which have long blinded us, and which make us regard all old things to be images of the deity. There is not a single old book of some bulk, treating of logic, astronomy, grammar, medicine, history, and the like, which we are not taught to regard as a divine revelation, and, as such, an object of worship and veneration. The common native *Calentiar*, issuing almost every month from lithographic presses, when in the hands of a Joshi, is an object of adoration and worship. The simple recital by the Joshi of the name of the day of the week, and of the month which fall to-day, with a description of the position of the constellations and the planets, is represented in a Sanskrit verse as quite sufficient to bestow on the listener the merit of performing ablution in the sacred Ganges.

Sir William Jones has frankly told us, that Manu Smriti is a system of despotism, and priestcraft ; and I do not think I shall be guilty of an act of sacrilege, if I try to illustrate the fact by a few quotations from that author. As we have in Manu, one of our legis-

lators, so have other nations their particular law-givers ; but it does not necessarily follow that legislators must be inspired.

In Chapter VII., on Government and Public Law, Manu directs :—A King must first adore Brahmins, who are not only his guides, but lords of the whole world. He must appoint them ministers ; never tax them ; nor allow any one of them to die of hunger. He must raise a Brahmin to the seat of Lord Chief Justice ; Brahmins finding treasure-trove ought to be permitted to retain it for themselves ; a treasure-trove found by any other subject to be divided equally between the king and the Brahmins. It is a heinous crime to assault a Brahmin even with a leaf of grass. However great his crimes may be, a Brahmin must never be punished beyond a pecuniary fine, or, at most, expulsion from the king's dominions ; whilst for similar crimes other classes are to lose their limbs and lives. Wherever capital punishment is prescribed for other classes, the Brahmin has only to perform a fresh tonsure ; and whenever he is to be expelled from the country for a capital offence, the king must take good care that all his property is securely sent with him, and he is not hurt in body. A priest may, for the purposes of a sacrifice, commit thefts with impunity.

What does all this exemplify : nothing less than the great weakness of human nature. Manu first loves his ownself, then those related to him by blood or ties of fraternity ; and then looks to the world abroad. In compliance with the dictates of his own judgment, or rather fancy, he first makes himself the first of all created beings, then places his own class at the head

of all, and then proceeds to favor his own sex. In the multiplicity of childish and monstrous things he has recorded, he ventures to say that it is the nature of women to cause the seduction of men, whether they be fools or sages. A husband violating the prescribed laws, enamoured of another woman, or devoid of good qualities, must be constantly revered as a god by his wife. A husband addicted to gaming, spirituous liquor, must not be neglected by his wife ; if she did so, she must be punished with forfeiture of her property. If a wife treat her husband with aversion, she must be deprived of her jewels and her bed ; a wife addicted to drinking or immorality to be supplanted by another wife.

Are such rules the offspring of inspiration ; or dictated by Omnipresence, Omniscience, or Omnipotence, where favor to one, and disfavor to another, are wholly unknown, and where infinite justice, unbounded mercy, and unlimited benevolence, are the ruling elements. Manu, as a man, was not infallible ; self-love, self-pride, self-conceit, self-importance, and other passions common to mankind prevailed him as much as they do us this moment. With all that, it is no wonder he has endeavoured to write as much as he possibly could to the disadvantage of women. I am still unable to find in his production an unqualified prohibition against the remarriage of females. If his language is to be understood, by the common acceptance of each term that he has used, the following texts of his are, in my opinion, quite conclusive to the point, that marriage of widows was in common use, and is not prescribed as unlawful.

“ He who was begotten, according to law, on the

wife of a man deceased, or impotent, or disordered, after due authority given to her, is called the lawful son of the wife."

"If a woman divorced by her lord, or ~~who~~ has become a widow, conceived a son by a second husband whom she took by her own desire, is called a Punarbhawa," (son of a twice married woman.)

"If she be still a virgin, or if she was divorced by her first husband under the age of puberty, she must perform the nuptial ceremony with her second husband."

The foregoing texts will be found in Chapter IX., verses 166, 175, and 176. Again in another place in the same chapter Manu informs us, that when the Prince Vena, master of the whole world, and chief of sage monarchs, had sovereign power, the practice of marriage of widows, was observed by all men; but that since that king's time, the virtuous (mind the word!) disapprove of the man who follows it. This last text is a further evidence of the nice and virtuous sensibility, alluded to in the pamphlet, which Manu, as a creature belonging to the male sex, entertained for the preservation of the moral purity of the other sex. It reminds us of an anecdote of a Mahomedan female, who with a number of other women, had been confined in the Seraglio of a Mussulman Prince, and complained to a priest of that class, of the injustice of one man having the choice of making more wives than one, at one and the same time; when the Cazee replied, that his great Prophet had made the rule, and was answered by the complainant, that Mahomed would not have made the rule, had he been a woman! This is not all. We shall quote a text from the Parás'ar Sanhitá, to shew

that Mānu, if differing at all with Parás'ar, is not a proper authority to follow. :—

“The laws enacted by Manu are intended for the Satya Yuga; those by Gotama for the Treta; those by Sāṅkha and Likhita for the Dwápar; and those by Parás'ar for the Kaliyuga.”

Vyas in his Smṛiti tells us thus :—

“When Veda, Smṛiti, and Purāṇ are at variance, the first to be preferred to the second, and the second to the third.”

No opponent of the second marriage of females has, to our knowledge, attempted as yet to shew that the Vedas have condemned the practice as unlawful, or the doctrine of Parás'ar has been particularly repealed by a competent authority. One of our adversaries has vaguely remarked that Vyas Deo has prohibited it. We consider this assertion incorrect, as it is not supported by any quotation, and it is impossible Vyas could do so; for he was a son of Parás'ar himself, and when applied to by the Rishis to expound the laws of the Kaliyuga, he referred them all to his father, and that father has told us that under certain contingencies, a female may lawfully take a second husband. If any of my hearers has any doubt on the subject, he had better refer to Mr. Narayen Sunderjee's *Brahmin Preceptors*, and they will find the necessary information in the opening of the *Parás'ar Sanhitá*. We have seen that Sir W. Jones, has recorded that, in the unanimous opinion of the Pandits of Bengal, the greater part of Manu's laws were confined to the three first ages of the world. The pamphlet of the Association has already shewn that, practically, Manu has not been cared for, or

attended to. We shall now proceed a little further, and ask, how many Brahmins, out of every ten, have followed Manu, in repeating the Gáyatri, for the time appointed, at the morning and evening twilight? How many Dwijas are there in every one hundred, who have studied the Vedas before betaking themselves to domestic and other worldly concerns? Do not almost all high classes of Hindus espouse as wives, daughters of their maternal uncles, against Manu's rules? Are there not numerous younger brothers, who have been married before the elder brothers' doing so? Is there a single Brahmin to be found who has not eaten with his wife, or seen her eating, sneezing, yawning, sitting carelessly at ease; setting off her eyes with black powder, scenting herself with essences, or baring her bosom, acts declared criminal by Manu? Is there a single mendicant Brahmin to be found in any country who has not received presents from a sacrificer for a Shudra? Why, it was only the other day, when thousands of persons calling, or professing to be Brahmins, greedily and loaffully partook of the great funeral repast given by Scindia, the great Shudra Chief, as a part of the funeral obsequies of his departed grandmother, the famous Baizabae! Are there not any Brahmins who sell salt and milk, and caress Shudra women, and do many things which are crimes according to Manu?

Our opponents have another objection to the reform, on the score of long established custom. We are aware that customs have a great hold on the mind of the uneducated and bigotted, but our Shastra says that custom is not binding where law exists to the contrary. Here is the text.

“In matters connected with this or the next world, the laws inculcated by the Shastras are to be followed, where there is an omission in them, then approved custom is authority.”

On a former occasion, when I ventured to assert that certain crimes were the offspring of the pernicious practice of preventing females to enter into a matrimonial alliance a second time, I was called a public libeller. I shall not, therefore, say any thing on the subject from my own head, but quote from an illustrious Pundit, named Eshwar Chundra Vidiyasagur, late Principal of the Sanskrit College of Calcutta.

“An adequate idea of the intolerable hardship of early widowhood can be formed by those only whose daughters, sisters, daughters-in-law, and other female relatives, have been deprived of their husbands during their infancy. How many thousands of widows, unable to observe the austerities of a Brahmacharya life, betake themselves to prostitution and foeticide, and thus bring disgrace upon the families of their fathers, mothers, and husbands? If marriage of widows be allowed, it will remove the insupportable torments of life-long widowhood, diminish the crimes of prostitution and foeticide, and secure all families from disgrace and infamy. As long as this salutary practice will be deferred, so long will the crimes of prostitution, adultery, incest and foeticide flow on in an ever increasing current, so long will family stains be multiplied, so long will a widow's agony blaze on in fiercer flames.”

The Pathare Association have no sinister or selfish motives, and they possibly can have none. On the contrary our opponents, who profess deeply to sympathize in the

distresses of females, and propose to delay the attempt at correction, are only trying to conceal their insincerity, and want of self-government. Our motives are charity and philanthropy, and we have earnestly to conjure men of all classes of Hindd society to bestir themselves, and exert their utmost to disabuse the minds of their caste fellows, impressing at the same time on their minds the great injustice and wrong which have hitherto been inflicted on the female sex, in gratification of the pride and jealousy of the priestcraft.

The Association have several matters to take into consideration, and they will be laid before the members, as soon as it is ascertained if any more gentlemen of the Prabhu community are disposed to enlist themselves on the rolls of the Institution. The deed of agreement, alluded to in the Circular of the 21st May last, does not require every subscriber to have his widowed relatives remarried. It simply makes it binding on the subscribers not to shun those who enter into a second matrimonial alliance. Before I conclude, I have to request all friends of female education and improvement, to set aside all their illiberal and uncharitable notions, abandon all their fears and alarms, and lend us their shoulders and arms to release the poor, wretched, and innocent widows from the miserable condition into which custom alone has long thrown them. I hope all the Pathare Prabhus now present, who have not as yet entered the lists of the Association, will sign the necessary application for admission, and give us the pleasure of calling them friends of the oppressed and injured widows."

After the Secretary had finished his address, a few

Prabhus only came forward to join the Institution; and the meeting was then dissolved on account of the lateness of the hour, the Secretary signifying to the members present, that an early opportunity will be taken to call another meeting.

It was then resolved that the proceedings be published for general information.

SADASEW MOROJEE,

Chairman.

APPENDIX K.

Extracts from the Proceedings of a special meeting of the Pathare Reform Association held on Wednesday evening the 26th May 1869, in the house of Rao Bahadoor Moroba Cannoba, Honorary Secretary and Treasurer of the Association.

Mr. Nana Morojee was called to the chair, and addressed the meeting as follows:—Gentlemen,—The principal object for which this meeting has been convened is, as I understand, the resuscitation of the Pathare Reform Association. This body was formed about six years ago, on the 31st January 1863, I believe, since which date several meetings have been held and their proceedings reported in the form of two pamphlets. I must confess, however, that our operations have not as yet led to any practical results. I shall not undertake to explain to you the reasons why the Association has been so long dormant, but will leave the task to our zealous Secretary, who is much more intimately acquainted with the doings of the Society than I can pretend to be. Meanwhile we have been

deprived, by death, of one of our strongest supporters and staunchest friends. His untimely death has not only proved a most severe shock to our body, but must be deplored as a great loss to the entire native community of Western India. I need hardly tell you, gentlemen, that I am here alluding to my esteemed friend, the late lamented Mr. Ramchandra Balcrishnajee. As regards the objects which the Reform Association has in view, you are doubtless aware that the principal of them are the amelioration of the moral and social condition of the Prabhus, the encouragement of education amongst them, the reduction of unnecessary expenditure on marriages and on funeral ceremonies, and the re-introduction of widow marriage. I need hardly say that in all intelligent quarters there can be no difference of opinion as to the propriety of each and all these objects. At present wasteful expenses are incurred on marriages and other similar occasions, such as lead to the utter ruin of poor families; so that no sensible man will dispute the propriety of curtailing this expenditure as much as possible. In the same way, no man at this time of the day can be ignorant of the enormity of the evils arising from non-existence of the custom of widow marriage. It has been argued on one side that such a custom never obtained amongst our people; and it has been urged on the other side that the custom did exist, but that of late it has been given up. Whether the former or the latter proposition be correct in fact, it must be granted that now that we have our eyes fully opened to the enormity of the misery and loss resulting from widows not marrying; it is high time that we should make every effort to check

the evil. I for one do not care whether the institution of widow marriage has or has not hitherto existed. I would introduce it even if it has never before existed. I have not yet come in contact with any intelligent person who has disputed the propriety of widow marriage. The excuse put forward for its non-introduction is that it is not yet time to introduce such a measure. This excuse, I used to hear made when I was only a school-boy, and now that I have grown up to be almost an old man, I can hardly be satisfied with the same excuse. Let us have, gentlemen, at least the satisfaction of having done what possibly we can do. Let our motto be "Action not words."

Mr. Moroba Cannoba then, at the request of the Chairman, read the following address regarding the Pathare Prabhus, the working of the Association during the last six years, and his opinions on the subject:—

Gentlemen,—After the great disappointment which myself and Mr. Nana Morojee felt on Sunday the 16th instant for the paucity of attendance, it is to us a source of extreme gratification that so many respectable gentlemen have favoured us to-day with their presence; and I beg, in the name of the Association, to offer them our best and most sincere thanks for the interest which they seem to take in the success of the institution. You will have observed that "Do nothing that you wish to conceal" is our motto, which to a superficial mind may appear to be nothing more than a common-place, but which to the critical and profound thinkers conveys a moral, philosophical, and sublime, and which, if literally adopted and strictly followed by the civilized world, would at once put an end to all domestic and foreign

feuds, and avoid rapine and bloodshed which have so often disgraced the policy and career of private and public men otherwise famous for their high intellects, sound judgment, and eminent learning. We should not require so many judicial tribunals to respect and enforce the rights of persons and things, or to punish and redress private and public wrongs. In fact, such wrongs would have no existence at all—we should not require so many thousands of land forces maintained at so enormous a cost, and so many forts and fortresses, and so many tons of iron rams and steamers to preserve internal peace and prevent foreign aggression. In truth, the whole face of the world would be changed, peace and harmony would reign in every creek and corner of the world, and mankind would be restored to that primary state of happiness and bliss which nature had designed for them, but which, according to the Christian doctrine, were forfeited ; because Eve was misled by the serpent and she deceived Adam and made him eat the fruit of the tree of knowledge. It is true that the name of the Association implies that its operations are not general, nevertheless it is not correct to charge the members with selfishness in starting up the institution. You have had the rules of the Association before you, and I dare say most of you have read them with care and attention. Let me therefore ask you whether you see anything in them which one can properly attribute to interested motives. Because they are restricted to one particular class, they may technically be called partial, nevertheless they are not the less philanthropic or the less charitable.

This Association was originated on the 31st January

1863 by a few persons of the Pathare class. Its place of birth was Poona. As soon as the rules were passed, a list of voluntary donations and monthly subscriptions was opened, and a circular in Marathee was prepared with great care and circumspection. Some 800 copies of this circular were lithographed and distributed amongst Prabhu families; and this circular, as we had fully expected, was the cause of our greatest difficulties. [The document which Mr. Moroba here alluded to was a circular signed by 8 members enumerating the evils arising from the prohibition of remarriage of widows, quoting authorities in support of remarriages; and intimating that a deed of agreement would be prepared and circulated for the signatures of the Prabhus]. The aggregate number of the Pathare families, including children of all ages, may be estimated at 5,000 souls. When, therefore, the institution has at heart the advancement of the moral, intellectual, and social condition of such a portion of Her Majesty's subjects, I emphatically put it to you whether such an institution is not entitled to the patronage and support of every charitable and kind-hearted man. If the general condition of the Pathare class be improved by the operations of the Association, will it not, I ask the most sceptical, affect beneficially and advantageously the general state of native society in Western India? Pathare Prabhus are one of the oldest, if not the aboriginal, class of inhabitants of Bombay. In ancient and modern history we could find that Pathare Prabhus are descendants of the Kshatriyas, who are represented in the Great Purans as the greatest warriors, and who were the chief actors in the Mahabharut, or the Great War, and that it was

the Mahomedan invasion of Guzerat which drove them into different parts of the country. A number of their class are still known to be inhabiting parts of Cashmere, Jodhpoor, Oodeypoor, Oudh, and other parts of the N. W. Provinces known by the designation of Kshatriyas or Rajpoots. As fugitives from the monstrous cruelty and savage barbarity of the Mahomedans, our ancestors are described as having left their seat of government in the latter part of the twelfth or the first part of the thirteenth century, and after travelling through Khandeish and descending the Vindiyadri and Sahyadri Mountains to have settled themselves in what was once called and is still known as the Northern Conkan. Salsette and Revadunda were their rendezvous, and their chief, named Bim or Bhim Raja, made the city of Chumpavutee the seat of his government, and occupied Mahim as far as the extremity of the Mahim woods, or what is now known as Dadur, and which was at that time separated from Worley, Parell, Dhara^vi, and Sion by a creek. He had a summer residence at what we call Purbha Dev^ee, and the temple now existing is said to have been constructed, or commenced to be constructed, by him. Some ruins of his palace are still pointed out by the old—and there are unmistakable ruins to be seen at Chowel of the city of Chumpavutee. In this distant part of their exile our ancestors were not allowed by the Mahomedans to enjoy peace and repose for any length of time, for the chief of the Abyssinian Colony established at Junjirah, taking advantage of the weakness of Bhim Raja's power, made a successful attack on his principal towns, and in a general engagement which the Kshatriyas had with the Abyssinian force, most of their leaders

and chief were killed and they were completely routed. Those who survived betook themselves to agricultural and horticultural pursuits, and when the Portuguese obtained supremacy at Bassein and Revadunda, they entered their service as writers. The passage by the Cape of Good Hope to the East Indies is admitted to have been first discovered by the Portuguese in A. D. 1487, and the first voyage to India was made by Vasco De Gama, and Bombay is said to have been first visited by the Portuguese in A. D. 1509, and it was obtained possession of by them about the year 1530 ; so that we may date our connection and attachment to European powers in the sixteenth century. When the Portuguese transferred Bombay in A. D. 1661 to Charles II. our ancestors transferred their allegiance to the English, and entered their service in different public departments. Each of you (I allude to Prabhus alone), I dare say, will be able to say with exactness that your grandfather was employed as head clerk or head accountant, and so on, in such and such office of Government. My own uncle, Jagannath Ballaji, who lived to the age of 82 years and died in July 1862, used to show me an editorial, published in the late "Bombay Courier" and said to have been penned by Mr. Francis Warden of the Civil Service, who for a long time was Secretary and Chief Secretary to Government and lastly a Member of Council, giving an account of the services of my grandfather Ballajee Pandurangji as head clerk in one of the Secretariat Departments, and inviting subscriptions for a fund for the support of my grandmama. I do not think that a single instance will be found of a Pathare

Prabhu having been charged with a political offence. My sole object in giving this account is to show that Pathare Prabhus as a class are fully entitled to the sympathies of the British Government. In the pamphlet published in A. D. 1863, hereafter to be referred to, I have endeavoured to give an epitome of the history of Raja Bhim, the founder of the race of Pathare Prabhus, and I have to refer to pages 16 to 19 of that little publication. It is now out of print, and I have ordered a second edition to be printed at my own expense, and I shall be glad to give without any charge copies thereof to all and every gentleman who may apply to me.

I have to ask your pardon for this short digression. I have left off the main subject at the opening of the list of donation and subscriptions, which was done on the 16th February 1863. My donation was Rs. 1,001, and the late Mr. Ramchandra Balcrishna put down Rs. 500 as his gift, but I am sorry to say that gentleman died without having paid it. It was not his fault. He left India for England soon after February 1863, and when he returned the Association was in a dormant state; he, however, once or twice remarked to me that though he was in pecuniary difficulties, he would pay it whenever wanted by selling the jewels of his family. What followed the publication and distribution of the circular of 21st May 1863, is fully described in the pamphlet entitled, "Marriages of Hindu Widows," published according to a resolution passed at a meeting of the Association held at Poona on the 18th July 1863. The kind of reception which this communication met with from the generality of my

caste people is explained in the said pamphlet. I would here ask your permission to read a part of that pamphlet. [Mr. Moroba here read an extract replying to the arguments against the Association and then proceeded.—] Although we concluded the pamphlet with the words “We are quite prepared to meet any replication which any one may choose to hazard to this tract,” no one has yet dared to answer our arguments. I must, therefore conclude, that no one has anything to say against it. On the 14th of November, of the same year, another meeting was held at Bombay, of which the proceedings are published in another pamphlet similarly entitled. The most critical time to test the moral courage and sincerity of the members was the meeting of the 28th November 1863, when the deed of agreement contemplated in Rule VII.—[binding the members to associate with the bridegroom and bride as well as the friends of remarried widows as if untarnished and “only newly married for the first time”]—was placed on table for signatures, when several members under some pretence or other wished for a delay; and although the document was placed in the hands of our friend Mr. Sadasheo Moroji with a notice in the public prints, only 14 out of 32 members have signed it up to this time. Three out of these 32 have since died. You all know, gentlemen, that we were able to do no business on Sunday 16th instant, on which day a meeting was invited at the house of my respected friend Mr. Nana Moroji. Some of you may naturally wish to know why nothing was done, or attempted to be done for so long an interval as five years. Various were the causes; some very melancholy to relate, others

most delicate to describe, and some such as no member could control. Though it was thought by some of our violent opponents that the Association had gone to pieces, you will be surprised to know that myself and some other members, whom I could name, always hoped that time would arrive when this Association would be able to resume its functions with renewed vigour and activity. There is no doubt that the Association has commenced earnestly and vigorously to put clause first of Rule II.—[for re-introducing the practice of female remarriage]—into practice ; and I hope the Association will have the satisfaction of seeing one of their own body setting an example, provided a proper widow comes forward. I may also inform you that two other Pathare Prabhus have signified to me their desires to marry widows. One father has expressed to me personally his willingness to give away his widowed daughter to a widower if he be in a condition to make a proper provision for her. The “ Association for the encouragement of widow marriages ” of which I happen to be a member, and which you perhaps know is composed of all classes of Hindus, are going to have a widow marriage here between a Brahmin and a Brahmini on the 15th of next month, and I have promised to set apart my Gowallia house for the accommodation of one of the spouses. The chief object with which this special meeting is called is to try to strengthen the numerical body of this Association, and to take into consideration how the 2nd and 3rd clauses of Rule II. can be put into practice. If it is possible to raise a good fund, we can undertake to open a school for Pathare males and females. Most of you know that there is a school called Prabhu Seminary.

This school was opened by an old and venerable gentleman named Sukaram Luxmonjee in May 1865, and supported by him for several years. He afterwards introduced the system of levying a certain rate of fees, from which time the number of students began to fall off. He died in October 1865, and it was supposed at that time that he had left a fund for the maintenance of the school. It was, however, soon discovered that no such provision had been made in his will and one of his executors, Mr. Bhagwantrao Ramchundra, was known to be endeavouring to have the school removed from the premises which it had occupied during the life-time of the founder free of rent. Although the school has not yet quit the premises, and that too because it cannot get a better house, it is now in a miserable state: the schoolmaster does not get a good salary, which depends solely on the amount of fees payable by the students. The studies are not very creditable, and not a single student has ever been able to offer himself for matriculation. The salary of the schoolmaster is, I hear, Rs. 60 a month. If we are able to raise a sufficient fund, we shall remodel the school and open a branch school for the English education of Pathare females. I promise to procure a female teacher, and to give a room in my own house for the accommodation of the female school.

APPENDIX L.

SOCIAL AND POLITICAL REVOLUTION—HINDU WIDOW

• MARRIAGE A FACT.

Extracts from Newspapers.

“Tuesday the 15th of June 1869 must be engraven in characters of gold. It has given birth to a new era in

the social and religious history of the Hindu Community in Western India. In the imperishable pages of history, it will be memorable as the day on which commenced the open defiance on this side of India of a time-honoured but erroneous custom. The marriage of a Hindu widow, especially of the Brahmin caste, has been unknown to the nation for years unnumbered. That Hindu religion is consistent with it, that the sacred lawgivers of the nation have sanctioned it—especially for this present Kaliyuga—can be established beyond the shadow of a doubt. But custom—that tyrant custom which, when opposed to reason and religion, makes bond slave of the nation and rolls it down to the abyss of degradation and perdition—had asserted its arbitrary sway and enchained the Hindu widow to a life of thralldom worse than death itself. With the advent of English education, the galling tyranny began to be keenly felt and talked over, but as years are but days in the life of a nation, the subject continued in its talking or discussion stage for the last score years and a half. No definite plan was fixed upon to extirpate the grim tyrant. To change a custom which has taken hold of a nation from time immemorial is not an ordinary task, and with the diffidence natural, and on the whole highly beneficial, to man, not to undertake innovation unless he be backed by clear reason and authority, no action could be taken till the source of national belief, viz., the sacred lore of the nation, was thoroughly examined with the object of ascertaining whether it supported the proposed innovation. Such an investigation was the more necessary in the case of a nation which looks upon Marriage as an entirely religious tie and not a

sort of civil contract. Until such a search was, therefore, instituted, no systematic course of action could be agreed upon nor any public body formed to carry out an organized movement. This state of things continued until the year 1865 when the movement took a serious turn, and received a fresh start which has brought us to the glorious event of a public marriage of a young Brahmin widow, — a marriage which has made the 15th of June 1869 a memorable day in the annals of social history of the Hindu population of Western India.

The 15th June, the propitious day on which alone marriages could take place according to Hindu astrology, drew nigh. Friends began to pour in from outstations. The utmost length of the G. I. P. Railway, — from Sholapoor to Nagpore — brought down earnest souls to Bombay. Rao Bahadoor Moroba Kanoba's large mansion at Gcwalia was kindly lent by him for the residence of the bride and as the place where the solemnization of the nuptials was to take place. Another Bangalow near the Rao Bahadoor's, belonging to Bava Rewagar Koovargar, was occupied by the bridegroom. Every thing was thus made ready for the great event of the memorable 15th of June 1869.

THE DAY'S PROCEEDINGS.

With the dawn of day on the morning of the 15th, the various ceremonies commencing with the invocation and installation of the deities commenced and continued up to 4 P. M. By this time the friends of the cause, both male and female, had begun to muster strong and by 5-15 P. M. there was an imposing concourse of Hindu ladies and gentlemen to form the procession for inviting

over the bridegroom to the bride's house. The procession started, the band and native music playing in front, and foot and mounted police escorting it on either side. The short ceremony of inviting the bridegroom being over, he was seated in an open four-wheeled carriage drawn by two bay horses and the procession returned to the place of wedding, greatly augmented on the way by hundreds of in-pouring friends. It arrived at its destination by 6-20 P. M. The bridegroom entered the bride's residence through a triumphal arch, and was conducted to the place where the priests and other friends were waiting to receive him, while the whole Bangalow and its extensive compound became filled with thousands of visitors and friends.

Amonst the principal European visitors were the Hon'ble Mr. Melvill, Mr. Wyllie, Dr. Wilson, Dr. Dallas, Mr. Hearn, Dr. Hunter, Mr. Macpherson, Mrs. Prescott, Mr. Mull, Mr. Wood, Mr. Showell and family, Rev. Gardner, Mr. Flynn, Mr. Wedderburne, and several others.

Among the very numerous Native gentlemen present were observed.—Dr. Bhau Daji Sheriff of Bombay, Messrs. Nana Moroji Magistrate of Bombay, Dhirujlal Mathuradas Government Vakeel of the High Court, Lukhmidas Khimji J. P., Dr. Atmaram Pandurang with family, Rao Saheb Wisvanath Narayun Mundalik J. P., Sett Dwarkadas VasANJI, Sett Khatao Makanji, Sett Mathuradas Lowji, Professor Mahadeo Govind Ranade M. A. and L. L. B., Professor Ramcristna Gopal M. A., Messrs. Dadoba Pandurang J. P., Bala Mungesh Wagley M. A. and L. L. B., Govind Vithul B. A. Barrister, Narayun Wassoodew J. P.,

Dossabhoy Framji J. P., Vishnoo Parashram Ranade District Deputy Collector and Magistrate Sholapoor, Keshavrow Kushaba Sub-Registrar, Parashram Kushaba Clerk to the 4th Judge of Small Cause Court, Bapaji Dinaji Interpreter, Madhav Narayun Shirgankur J. P., Moroba Vinoba, Bhasker Bapu Josee, Junardan Gopal Solicitor High Court, Pandurang Gopal, Dowlatrao Gopinath, Sudasew Moroji Head Clerk Sheriff's Office, Vishnu Parashram Shastri Pandit, Janardan Sakharam Gadgil J. P., Narayun Mahadeo Purmanund, Balaji Pandurang Interpreter High Court, Ransord Rowji Proprietor of the *Prabhakar*, Javerilal Umiashankar, Mukundrao Balaji, Shrikrishna Shastri Talekar Deputy Educational Inspector Khandeish, Trimbukrao Bapuji Interpreter High Court, Vitul Narayun Patak M. A. Head Master of Dhoolia High School, Harichund Sadasewji Engineer, Harichund Chintamon, Gopalrao Babaji Head Master of Sholapoor English School, Cashinath Dhakji Dadaji Manager of Solicitor Khunderao, Vishwanath Govind Cholkur, Ramchundra Anandrao Oodas Proprietor *Native Opinion*, Nagindas Tulsidas L.L.B., Mulji Thakarsi, Cursetji Nusserwanji Kama, Krishnaji Balal Fatuk, Vithal Harry Limuye, Wamonrao Bakley, Parashram Vishnu Yogee, Mahadeo Chimnaji Apte B.A., Balkrishna Balaji, Sukharam Purashram, Kesow Pandurang Godbole, Crushnarao Raghoba Canoba, Anundrao Vinoba Cannoba, Narayun Luxmonji, Kursondass Madhowdas, Kazie Shaboodin Divan of the Ra^o of Cutch, Kumroodin Tyebji Solicitor, Ardaseer Framji Moos, Shantaram Narayun Pleader, J. P., Gunputrao Bhasker Pleader, J. P., Bhasker Harry Bhagvat Interpreter of Small Cause Court, Revd.

Dhunjibhai, Dr. Moreshwar Janardan, Dr. Dhirazram, Dr. Shantaram, Messrs. Kanoba Runsordas, Wasudeva Balal Kher, Translator Commissioner's Office Nagpore, Nowroji Furdoonji, &c., &c.

The preliminary ceremonies and the chaunting of propitious hymns being over, the bride and bridegroom were united in holy wedlock exactly at sunset, that is, 6.38 P. M., by each of them putting a garland round the neck of the other. The holy union was announced by the musicians "striking up" at which the assembled multitude cheered and pressed forward to congratulate the newly-wedded pair. The remaining ceremonies were therefore postponed for a time and the happy pair conducted to the customary earthen throne, where every visitor was allowed to satiate his curiosity of witnessing them and offering his congratulations. Marriage gifts were also presented on the spot to the bride and bridegroom by the following gentlemen :—

Mr. Wishwanath Dhondba, Mr. Nagindas Tulsidas, Mr. Dinanath Vishnu, Mr. Raghunath Narayun Khotey, Mr. Dattatraya Daji and brothers, Mr. Trimbakrao Bapuji, Mr. Narayun Ramchundra, Mr. Moroba Vinoba, Mr. Bhaskar Hari, Mr. Venayak Balwant, Mr. Harischandra Nathoba, Mr. Sadanand Shivshankar, Mr. Cannoba Ganpat, Mr. Balkrishna Moroba, Mr. Tukaram Tatya, Mr. Shreekrishna Shastri Talekar.

Several Ladies also made presents on the occasion.

The large hall and the whole of the compound were excellently illuminated, and Rao Bahadoor Moroba Cannoba very courteously received the visitors. By 9 P.M. the crowd began to lessen, when the rest of the ceremonies including that of *Saptapadi* were gone through.

After the nuptial ceremonies were over there was a grand party at the bride's hall, where a large number of Brahmin friends partook of the nuptial feast. The few remaining ceremonies, including the procession to the bridegroom's house with his better half, were gone through during the rest of the night, and the whole was brought to completion on the morning of the day following. Thus ended the happy proceedings with which commences a new era in the social history of the Hindus of Western India.

The bridegroom, Mr. Pandurang Vinayak Karmarkar was a bachelor. He is twenty-five years of age. He is a native of a village named Ade about four miles distant from Rutnagherry. He learnt Marathi and English at Poona, and is at present an assistant schoolmaster in the Anglo-Vernacular School at Sowda in the Khandeish Collectorate.

Venu Bai, the bride, is the daughter of Prabhakar Bhatt Paranjpe, a native of Mitgowne, a village some ten miles distant from Rajapoor. She had been married when nine years of age to one Narayen Vishnoo Bapat of Alibaug district, about the year 1864. She had the misfortune to lose her first husband within eight months from the time of her marriage. Both her parents are dead. Her father, Prabhakar Bhatt, died only three months ago at the advanced age of eighty-five years. Her present age is seventeen years. She has three brothers, the eldest of whom, Wamanrao, performed the ceremony of giving away his sister to the bridegroom.

On Saturday, the 26th June 1869, the new spouser gave a general entertainment to members of the Pa

thare Prabhu, Shenvi, Sonar, and Brahmin Communities. It was attended by upwards of one hundred persons. It was a most pleasing and graceful sight to see Venu Bai amongst other Brahmin ladies serving the dinner to the guests.



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